

NAGELL, RICHARD

PROPOSED TESTIMONY: Richard C. Nagell, September 19, 1966
United States District Court, El Paso, Texas

Your Honor, ladies and gentlemen of the jury I think I am correct in saying that the purpose of the trial adversary system is to bring out the truth, preferably the whole truth -- surely, nothing but the truth -- so that a just verdict may be reached in accordance with the law.

As I understand it, a trial called pursuant to American standards of jurisprudence is not meant to turn into a game whereby the truth is sacrificed for convenience or withheld to accommodate a circumvention of relevant fact. Nor is the system designed for staging a pageant of subtle misrepresentations in order to gratify everybody but the defendant that justice is being administered.

This is precisely why I have taken the stand. Because this trial has evolved into something more than a contest between the prosecution and the defense, with both sides seeking to win the day through the presentation of carefully selected witnesses, some of them misinformed, many of them mistaken, and deceptive evidence, while evading, by mutual agreement, vital material issues that would allow the Court to view my case in its proper perspective.

Consequently, the truth -- or at least a vast area of the truth -- has not been produced at this trial. Nor was it produced at my initial trial in 1964. As a matter of fact, the truth in my case has never been raised to the surface despite the certainty that a great deal of it is known to the government.

Thus, I have elected to testify in order to ensure that for once the truth is made available for consideration by this Court, even though I possess absolutely no hope of gaining tangible benefit from my testimony. I shall, however, as my story unfolds, be given the satisfaction of knowing that my former colleagues will now be able to ascertain why I did what I did on September 20, 1963; why my case has been prosecuted with such diligence, and why, since the very beginning, my defense has been directed along the route leading to confinement in a mental institution if I should, by some fluke, be acquitted.

Before I get to the meat of my testimony I feel it pertinent to advise the Court that such testimony will necessarily link me, however, obliquely, with a domestic-inspired, domestic-formulated, and domestic-sponsored conspiracy to assassinate a Chief Executive of the United States and other highly-placed government officials. But I want it to be clearly understood that this link stemmed from my cognizance of the conspiracy rather than my participation in it.

Also, I wish to advise at this point that it was, in my soon-to-be qualified opinion, a direct result of my arrest that this conspiracy did not materialize; and that if the Federal Bureau of Investigation had bothered to conduct even a cursory inquiry into my allegations regarding the conspiracy and one of its original perpetrators, Lee Harvey Oswald, President Kennedy would probably still be alive.

Further, I ~~will~~ wish to advise that I made every reasonable effort, under the prevailing circumstances, to testify before the Warren Commission when it was in session.

(2)

Now, I shall advance five premises which will, eventually, I am sure, be proven to your satisfaction:

First: That the reason I did what I did in the bank three years ago was for the sole purpose of having myself arrested and detained temporarily by federal authorities.

Second: That prior to my arrest I had notified the Federal Bureau of Investigation, by registered mail, of a pending conspiracy to murder the President of the United States during the latter part of September 1963.

Third: That since the date of my arrest, during my appeal from conviction, and prior to this trial I was beaten, intimidated, and coerced by the authorities because I refused to talk and/or give information, and on one occasion when I refused to submit to hypnosis by a psychologist at Leavenworth Penitentiary I was forcibly administered a dangerous drug until my physical condition commanded it be stopped. That, also at Leavenworth Penitentiary, I was subjected for a ten-day period to what can, at its best, only be described as brutal treatment, because I refused to answer questions.

Fourth: That I am not now, nor have I ever been, insane or otherwise devoid of my mental faculties; nor have I ever attempted suicide, though I have made gestures in that respect for good reason.

Fifth: That the defense of incompetency or insanity, call it what you may, was literally forced upon me by this Court in April 1964, as were the "services" of its appointed attorneys; that after my conviction in May 1964 it became mandatory for me to abide by such defense and cooperate in such defense in order to secure a reversal of my conviction; that the prosecution has, in collusion with my Court-appointed attorneys, suppressed crucial material evidence which would have sanctioned, if not demanded, another avenue of defense -- my true defense; and lastly, that a number of my so-called Constitutional safeguards, including, but not limited to, the right to subpoena witnesses, cross-examine witnesses, and retain legal counsel of my own choosing have been denied by this Court.

. . . .

In order for the interested parties to better comprehend the reasons for my actions on September 20, 1963, and to avoid confusion, I must cite certain past events concerning myself which, rightly or wrongly, influenced my decision to do what I did.

Everything I am about to say is germane to this hearing, and I say it, not in excuse, but in explanation.

3rd Memo

in re Springfield visit in which
intro. letters were obtained for L.A.
(being typed) (not urgent)

Mr. Richard Popkin
September 22, 1967
Page - 3 -

September 22, 1967

Mr. Richard Popkin
Department of Philosophy
University of California
San Diego, California

Dear Dick:

Thank you for your letter of September 15. When Bill Martin left here on September 1 he gave us all the material he had on X and this did not include the transcript of the trial. Nor do we have any reports of Bill's recent trip to visit X, nor his western trip.

The only material we have is what I already sent you about 3 weeks ago in a big manila envelope. Did you receive this:

I suggest the best thing would be for you to deal with Martin direct. I have tried time and again to reach him in the last 3 days, without success. His home "answering service" gave me a wrong number as his office phone, and his old trade mart office say they don't know what his new number is.

I recently read through the X file, and I must say I am at a loss to understand why you evidently think there might be something important to this. When one bears in mind that he was in custody before Oswald went to Mexico, that he is in the everything-to-gain and nothin-to-lose position of all other prisoners (almost daily we get mail from prisoners all over the country with offers to identify Bertrand, etc.), and that he alleges possession of a tape recording of people planning the assassination which, even if it were located, would be of almost no value in view of the ease with which such a tape could be forged, this all amounts, in my view, to a very tenuous lead.

Mr. Richard Popkin
September 22, 1967
Page -2-

The information he provides about a Carcano in San Antonio is of interest as I recently had this corroborated by David Lifton. However, maybe Lifton got it from you.

We would be interested to know more about Phelan's visit, as he seems to be visiting all the critics, for some reason.

Hoping all goes well with you.

Best wishes,

TOM BETHELL

TB/leb

August 30, 1967

Mr. William R. Martin

Council, U.S. Gov.

International Trade Mart

New Orleans, Louisiana 70113

Dear Mr. Martin:

If you recall, in my letter dated July 13, I asked that you and the
correspondence relating to Southern Bell and Kentucky to my sister. She
received all but the original of Southern Bell's letter to me, dated January 20,
and I note by the applicable enclosure to your letter of July 25 that it was not
included in the list of documents mailed to her.
Hence, I would again request that you and the postmaster item to her,
at your earliest convenience. Thank you.
In answer to your letter, explaining, which I had assumed to be
reply, first, let me say that if you had informed me that recently confidential
are partially responsible for the delay in making the system open
of the scope of my position and supporting memorandum, mailed to the nation you
did cite, such explanation would have been quite acceptable to me.
As for the communication sent your associate (?), which was forwarded
through private channels (certainly, at least), it is of some concern to me
that you were not apprised, in any manner, of this. I did not intend for
it to be — nor do I think it should have been — kept from your eyesight.
It is of greater concern, however, that you are unaware of its nature
& content. The only complete part of my entire response was the word
"company," and I used the term as shorthand with the meaning given

That you would understand it.

Now, I remember about the receipt of that communication, and several others which were forwarded to the same service through the same "spiritual" channels, explaining in further detail my relationship to the subject discussed at Springfield and describing the identity and that known acquaintance of some of the persons involved. I am actually pushed off at what has, apparently, happened through what can best be called my own stupidity.

Anyway, as a result of the foregoing, and for other, somewhat more practical reasons, I want you to know that I am deeply anxious any and all rights of privileged communication that you may consider as having been legally in effect at the time we had our discussion. Like, of course, many other unnecessary and even academic questions, standpoint and position. Nonetheless, you have it in writing for reference purposes, if any, the future might desire.

Richard C. Wright 83226

P. O. Box 1000
LEAVENWORTH, KANSAS 66048

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Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana

 S.P.

70113
411 Lowndes ST
70113

(Oct. 13, 1967)

Monte Tecla

Chateau - Madrid

Desmonde Fitz
Dick Fecteau
Robert C. Nolan
Pete Feinauer

Alfa 33 and Bravo 33 equals Charlie 66

Tony Cuesta

Marina checked out at San Antonio Bureau of
Immigration and Naturalization in April 1963.

Is JURE still living in San Juan?

FBI team known as THE TACOS in Miami, Jan. 23, 1963 -
investigating shipment of arms.

Is JURI ANDROPOB running the show at the State De-
partment?

Manuel Artine - Was he counter intelligence?

Mr. David E. Russell

January 3, 1967

United States Senator

Washington, D.C.

Dear Senator, Russell:

Reference is made to the enclosed typing which, as I believe, self-explanatory. In regard thereto I would suggest rather than attempting to learn more about Mr. Oswald's stay in the U.S.S.R. and his "dealings" with a pro-Castro committee, that any future inquiry be devoted along more productive lines. Further, I suggest any such investigation deemed necessary be conducted by an agency that has no private axe to grind:

Mr. Oswald and his activities came under my scrutiny during 1962 and 1963. My inquiries, coupled with data furnished me by reliable sources, ascertained the following:

Mr. Oswald had no significant connection with the Fair Play for Cuba Committee. He had no significant contact or relationship with so-called pro-Castro elements, though he was led to believe he had such. He maintained no significant association with any Marxist-oriented group or movement. He was not affiliated with a secret group or movement. He was not an agent or informant, in the generally accepted sense of the words, for any investigative, police, or intelligence agency, minister or foreign. He was involved in a conspiracy to murder the former Chief of State during the latter part of September 1963. This conspiracy was neither Communist inspired, nor was it instigated by any foreign government or organization or

individual representative of any foreign government.

In the summer of 1963 I received instructions to initiate certain action against Mr. Oswald, who was the indispensable tool in the conspiracy, and thereafter report the United States, orally. Although I did neither, I did, subsequent to obtaining a valid passport and prior to my arrest, dispatch a letter via registered mail to the Director, Federal Bureau of Investigation, advising in sufficient detail of the aforesaid conspiracy and the identity and whereabouts of Mr. Oswald.

To the tragedy at Dallas, when I became convinced the F.B.I. was more concerned with keeping me in custody (and with cleaning its dirty liners) than it was in resolving facts which would have shed light on the assassination I clamored up completely. Later, however, when I felt I was going to be railroaded into either a prison or a mental institution, I made every reasonable effort under the existing circumstances to testify before the Warren Commission. I even sent letters to the Chief, Secret Service Bureau and Mr. J. Edgar Hoover, then Attorney General for the commission.

For what little it is apparently worth now, my opinion is that the death of President Kennedy was ⁱⁿ directly, if not directly, resultant from a conspiracy and also due in great part to the stupidity or negligence of the F.B.I.; that Mr. Oswald definitely was the only assassin; and that his own demise was not attributable to any conspiracy of which I was cognizant.

Very truly,

Richard C. Nagell

U.S. Penitentiary, Leavenworth, Kansas

Register No 53286-L

Letter from Richard Case Nagell to Senator Richard Russell
January 3, 1967...(did not xerox well)

Hon. Richard B. Russell
United States Senate
Washington, D. C.

January 3, 1967

Dear Senator Russell:

Reference is made to the enclosed clipping which is, I believe, self-explanatory. In regard thereto I would urge rather than attempting to learn more about Mr. Oswald's stay in the U.S.S.R. and his "dealings with a pro-Castro committee", that any future inquiry be directed along more productive lines. Further, I suggest that any field investigation deemed necessary be conducted by an agency that has no private axe to grind.

Mr. Oswald and his activities came under my scrutiny during 1962 and 1963. My inquiries, coupled with data furnished me by reliable sources, ascertained the following:

Mr. Oswald had no significant connection with the Fair Play for Cuba Committee. He had no significant contact or relationship with so-called pro-Castro elements, though he was led to believe he had such. He maintained no significant association with any Marxist-oriented group or movement. He was not affiliated with a racist group or movement. He was not an agent or informant, in the generally accepted sense of the words, for any investigative, police, or intelligence agency, domestic or foreign. He was involved in a conspiracy to murder the former Chief Executive during the latter part of September 1963. This conspiracy was neither Communist

Nagell letter to Sen. Russell (continued)

TTTTTTTT

inspired nor was it instigated by any foreign government or organization or individual representative of any foreign government.

In the summer of 1963 I received instructions to initiate certain action against Mr. Oswald, who was the indispensable tool in the conspiracy, and thereafter depart the United States, legally. Although I did neither, I did, subsequent to obtaining a valid passport and prior to my arrest, dispatch a letter via registered mail, to the Director, Federal Bureau of Investigation, advising in sufficient detail of the aforesaid conspiracy and the identity of Mr. Oswald.

After the tragedy at Dallas, when I became convinced that the F.B.I. was more concerned with keeping me in custody (and with cleaning its dirty linen) that it was in resolving facts which would have shed light on the assassination, I clammed up completely. Later, however, when I felt I was going to be railroaded into either a prison or a mental institution, I made every reasonable effort under the existing circumstances to testify before the Warren Commission. I even sent letters to the Chief, Secret Service Division and Mr. J.L. Rankin, then General Counsel for the Commission.

For what little it is apparently worth now, my opinion is that the death of President Kennedy was indirectly, if not directly, resultant from a conspiracy and also due in great part to the stupidity or negligence of the F.B.I.; that Mr. Oswald definitely was the only assassin; and that his own demise was not attributable to any conspiracy of which I was cognizant.

Very truly,

/s/ RICHARD C. NAGELL
Register N. 83286-L

U.S. Penitentiary, Leavenworth
Kansas

May 31, 1967

Dear Mr. Martin:

I don't know whether or not you are in receipt of my letters dated May 19 and May 24. I would ask that you phone Mr. Nicholas here and make arrangements to visit me as soon as possible. It is imperative that I speak to you before my departure for Leavenworth. I am sure you will find a visit at this time of vital concern to my case and to our mutual fight.

Richard C. Higell

A-16666-H

P. O. Box No. 4000
SPRINGFIELD, MISSOURI
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2700 Talane Ave.

G.D.A.'s Office

TO

Mr. William R. Martin, Attorney
International Title Trust Corp.
New Orleans, Louisiana
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CHARLES E. KIRKOW, CHIEF CLERK

United States Senate
COMMITTEE ON ARMED SERVICES

January 20, 1967

Mr. Richard C. Nagell
Register No. 83286-L
P. O. Box 1000
Leavenworth, Kansas 66048

Dear Mr. Nagell:

Permit me to acknowledge and thank you for
your letter and the information it contains.

With every good wish, I am

Sincerely,

Bob Russell

July 30, 1967

Mr. William R. Martin
Counsel AT Fair
International Trade Mart
New Orleans, Louisiana 70113
Dear Mr. Martin:

I have received your letter dated July 25, in which you first address
to a lack of good manners on my part and then proceed to indicate the
substance of one of my letters as "presumptuous nonsense."
Regarding the former, permit me to remind you of your promise to
mail the review copies of my letter and its supporting memorandum to my
address before you departed Springfield on June 7, and the fact that you failed
to do so. As pertinent to your promise — which are really quite
academic — for the ensuing month-and-a-half delay in mailing these
documents, let me also remind you of our accord that they would not be
typed up since they were not to be put in court. Thus, by itself,
making your explanation sound rather empty, to say the least.
Concerning the latter reference, that is, your point declaration of my
"presumptuous nonsense," if you are indeed ~~refusing~~ refusing to the balance
of the letter to write you on July 16, then I can but say I'm sure you
would not have judged the legal steps I contemplated to be either presumptuous
or nonsense, had they been omitted. However, if you are refusing to the
communication sent your associate, also dated July 16, then I write to the
times after an apology. For I have since then appeared at information

which not only convinces me there was no valid basis for the conjecture cited therein, but also that you have never acted in an operational capacity with that particular company.

Still, it is unfortunate that you could not actually exercise the restraint to which you alluded in the closing paragraph of your letter, and appreciate that any individual might jump to an erroneous conclusion when he is restricted to a minimum of data and a maximum of suspicion in evaluating a given situation. I say "unfortunate", because had you displayed more tolerance in this matter, especially in view of your own shortcomings, I'm sure I would have eventually cooled off and seen to it that the physical evidence you sought at Los Angeles was delivered to your hands personally, possibly within a period ^{of} ~~few~~ weeks. I would have done this to show that I too can be trusted to keep my end of a bargain, not that you have done so in all respects.

Finally, in terminating our business and knotty association, I am going to venture that the future will show you people need me much more than I need you; that D.F. and his friends were nothing but peripheral characters, always expendable, who didn't really know the scheme of things, and couldn't tell you anything even if they were around to do so, which they are not; and that while you people may have set sail in the right direction you are now (from what I hear) about 180 degrees off course . . . but then, that is how it was meant to be.

Thanks for nothing,

Richard C. Nagell P3256

P. O. Box 1000
LEAVENWORTH, KANSAS
66048

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Mr. William R. Martin
Counselor at Law

International Trade Mart
New Orleans, Louisiana

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William R. Martin
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WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mr. Arthur Greenstein
1812 Floral Drive
Wilmington, Delaware

25 July 1967

Dear Mr. Greenstein:

As per our telephone conversation of yesterday, and according to instruction I have received from Mr. Richard Case Nagell, I enclose the following document which has been prepared by Mr. Nagell and placed in my hands for safe keeping:

One original of the Memorandum In Support of
Petition for Writ of Habeas Corpus.

In an earlier correspondence, Mr. Nagell indicated to me that he would be in communication with you.

Most sincerely yours,

William R. Martin

WRM/leb

FROM: William K. Martin
Counselor At Law
International Trade Mart
New Orleans, Louisiana

REGISTERED
RETURN RECEIPT REQUESTED

TO: MR. ARTHUR GREENSTEIN
1812 FLORAL DRIVE
WILMINGTON, DELAWARE 19803

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New Orleans, LA

PCO Form 3511 Oct. 1965

RETURN
TO

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mrs. Eleanore G. Gambert
The Maple Lake Farm
Kenyon, Rhode Island

25 July 1967

Dear Mrs. Gambert:

As per instructions received from your brother, I am enclosing certain material and documents prepared by him which were put into my hands during my last visit with him in Springfield, Missouri.

Enclosed you will find:

- One (1) copy of letter to Senator Russell.
- One (1) copy of letter to Senator Kennedy.
- One (1) copy of Memorandum in Support of
Petition for Writ of Habeas Corpus.
- One (1) copy of Petition for Writ of Habeas
Corpus.

Most sincerely yours,

William R. Martin

WRM/leb

FROM William R. Martin
Counselor at Law.
International Trade Mart
New Orleans, Louisiana

AIR MAIL
REGISTERED - RETURN RECEIPT
SPECIAL DELIVERY

TO: MRS. ELEANORE G. GAMBERT
THE MAPLE LAKE FARM
KENYON, RHODE ISLAND

AIR MAIL
REGISTERED - RETURN RECEIPT
SPECIAL DELIVERY

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mr. Richard Case Nagell
U.S. Penitentiary
Leavenworth, Kansas

25 July 1967

Dear Mr. Nagell:

During the past several days I have postponed answering your letter of the 13th. of July. What with constant travel and catching up on desk work in the interim, I had not been able to give sufficient thought to an answer.

Your letter of July 16th., however, is another matter.

Your Petition for Writ of Habeas Corpus, along with the lengthy Supporting Memorandum, was turned over to our secretarial staff for typing after I had studied it in detail. My instructions were that it was not as urgent a matter as some of our deadline material, and that it could be typed as reasonable time permitted. Under the circumstances, I consider that a decent and friendly gesture on our part, requiring nothing more than good manners in return.

I have this date ordered your material sent forthwith to your sister by registered mail; return receipt requested. The unfinished typewritten work will be disposed of. The same is true of your request concerning Mr. Greenstein. I enclose my covering letter to both parties.

As to the presumptuous nonsense of the balance of your letter of the 16th., I will exercise restraint and refrain from comment.

William R. Martin

WRM/leb

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mr. Richard Case Nagell
A-83286-L
U.S. Penitentiary
Leavenworth, Kansas

July 13, 1967

Mr. William R. Martin

Councilor at Large

International Trade Mart

New Orleans, Louisiana 70013

Dear Mr. Martin:

I am in receipt of your letter dated July 7. It is anticipated
your records correctly, it appears that you may have misinterpreted
my reply of June 30, and the reason for it. I did not mean to
refer by the agreement I gave that I would not continue with the
preparation of my case, nor did I mean to give the impression that
there is no additional physical evidence available to substantiate the
more accurate elements at issue in my case, but also the fundamental

issue involved.

Further, my statement pertained strictly to our attorney-client
relationship and was based on the assumption that since the particular
claim of physical evidence was not available, your representation would
automatically be terminated (though the subject of your letter of
June 20). In this sense, permit me to remind you that during
our last discussion at Springfield you clearly stated your intention
in my case to refer to the statement to the experimental evidence.
Regarding such evidence, I might point out that in my letter
dated March 10 and 13 to my sister, both of which were shown to your
counsel, I emphasized that time was of the essence in formulating

The American Government. And, I feel that at the present
 critical in my March 13 letter has been followed at the very beginning, the
 above mentioned would possibly be in your custody. . . for I can assure
 you that it did not disappear in 1964, nor was it the subject of a
 hanging by the opposition, notwithstanding what you saw in the (partly in
 good conscience) by the witness.
 Now, there has been too persistent and recent developments in my
 case which call for prompt action on my part, and that is the step
 action I am seeking at this time.
 Finally, I have received notification from the Clerk, U.S. Court of
 Appeals for the Fifth Circuit, that the report composed by court-appointed
 counsel has been filed and should be heard during the fall session. I
 fully intend to attend such report for some time that has not yet passed,
 namely, Mr. Callahan's statement that October that of my second conviction
 is received without my being summoned for a third trial, I shall probably be
 removed solely to a mental institution, notwithstanding the fact of my mental
 status as the findings by the U.S. District Court for Federal Government.
 Secondly, I have received a letter from an attorney who claims to
 have been retained by Arthur Schlesinger to aid me. As I am not yet in
 communication with Mr. Schlesinger I am unable to confirm that, but
 there exists no reason to doubt the authenticity of the letter.
 There, in view of these developments, I ask that you please forward
 my memorandum in support of petition for habeas corpus to Mr. Schlesinger
 in your reply; and also, that you send the correspondence relating
 to District Justice and Kennedy to my sister by registered mail. I

shall, of course, be obliged to pay for the inconvenience and any expenses incurred if you will send the bill to my sister. I believe you are in possession of both her address and that of Mr. Greenstein.

In closing, let me say that I too regret the overall effort was not productive. Perhaps the situation will change in the near future. If it does, I shall certainly keep in mind what you have stated in the last paragraph of your most recent letter.

Would you be so kind as to acknowledge receipt of this letter?

Thank you,

Richard C. Nagell
A-83286-L

P. O. Box 1000
LEAVENWORTH, KANSAS
66048

OFFICIAL BUSINESS

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Mr. William R. Martin

Counselor at Law

International Trade Mart

New Orleans, Louisiana

18 S.P.

*D.A. Office 70113
2700 Tulane Ave.*

June 16, 1967

Mr. William R. Martin
Attorney at Law
International Trade Mart
New Orleans, Louisiana 70113

Dear Mr. Martin:

I hope you met with success on your trip to Colorado. I arrived back in Leavenworth on June 13. Yesterday I was interviewed by Dr. H. Wayne Bliffert, the prison psychiatrist at Leavenworth. He told me that I had been sent to the Medical Center for Federal Prisoners ^{in February} because "Springfield reported you were mentally ill."

I am sure you are aware that the psychiatric reports submitted on me by the M.C.F.P. prior to my return to Leavenworth last fall, contained no such finding with regard to my then current mental status. Further, Dr. Bliffert's statement is in conflict with the recent report submitted on me at the M.C.F.P. and the information provided me by its Director and the Chief of its Neuropsychiatric Services.

During the course of my interview by Dr. Bliffert I was queried as to why I was in El Paso on the date of my arrest and the reason I entered the bank at all alleged I entered to rob. Although I have the strictest respect for Dr. Bliffert personally, I must say that these questions were asked in the face of my well-known reluctance to answer them, the fact that I am awaiting outcome of appeal from conviction, and notwithstanding the acknowledgment received here from the Bureau of Prisons (dated December 30, 1966) that I am entitled to refrain from discussing the facts of my case.

In view of the information I have previously furnished the

authentic, and the contents of my letter dated January 3 to Senator Russell,
not to mention what has transpired in my case since the tragedy at Baker,
I find it difficult to accept the promise that Mr. Dill's questions were
asked only from the standpoint of professional curiosity.

Now, sir, if the foregoing is merely the prelude to continued questioning
outside the presence of legal counsel about the circumstances leading to the
incident at El Reno, or if my refusal to answer such questions in the future
is going to result in the same type of treatment I was subjected to at the
instance of Mr. James L. Baker in 1934, then I feel that appropriate steps
should be initiated immediately to safeguard my interests and protect my rights
as a prisoner awaiting outcome of appeal from conviction.

My sister, Elvaree, has adequate funds at her disposal to finance
any litigation you may deem necessary in this matter.

Thank you,

Richard C. Nagel

PMB A-88386-L

Leavenworth, Kansas 66042

cc: Hon. Richard B. Russell, U.S.S.

P. O. Box 1000
LEAVENWORTH, KANSAS 66040

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
F. D. P.

Mr. William S. Martin
Attorney at Law

International Trade Mart

Dist. Attorney Off. New Orleans, Louisiana
2700 Tulane Ave 70113

70119

~~St. + Says~~

+ (big typed)

4th. Memo in re trip to L.A.
(nothing of importance other than)
(next ~~the~~ page)

June 16, 1967

Mr. William R. Martin

Attorney at Law

International Trade West

New Orleans, Louisiana 70113

Dear Mr. Martin:

I hope you met with success on your trip to Atlanta. I received

back in December on June 13. I am sorry I was not able to meet

Ally, the person who was at the time. He told me that I had some

and to the Medical Center for Federal Bureau of Investigation "Special Agent

you were mentally ill."

I am sure you are aware that the psychological reports submitted concerning

by the M.O.P. prior to my return to the hospital were not

fully with regard to my then current mental status. Further, Dr. Ally's

admission to the hospital with the recent report submitted on me at the

M.O.P. and the information provided me by the Director and the Chief of

Neuropsychiatric Services.

During the course of my interview by Dr. Ally, I was given an

and I was in EC case in the list of my arrest and the reason I was at the

that it is alleged I intended to do. Although I have the most respect

for Dr. Ally's personality, I must say that these questions were asked in the

place of my well-known reluctance to answer them. The fact that I am

noting evidence of appeal from conviction, and notwithstanding the acknowledgment

received from the Bureau of Prisons (Letter Number 30, 1966) that I am

unable to appear from attending the trial of my case.

In view of the information I have previously furnished the

cc: Hon. Richard B. Russell, U.S.S.

Lawrence M. Kramer 66475

PHB A-83326-1

Richard C. Vogel

Friend,

My letter, I believe, has subjected you to some
as to possible meeting, evidence of appeal from conviction.
should the initiative immediately to respond my interests and protect my rights
instances of the first of. Before in 1964, then I feel that appropriate steps
is going to result in the same type of treatment I now subject to at the
incident at El Paso, as if my refusal to answer such questions in the future
outside the process of legal counsel about the circumstances leading to the
New, then, if the foregoing is merely the problem to continue questioning
asked only from the standpoint of personal security.
I feel it difficult to accept the premise that Mr. McGowan's questions were
not to mention what has happened in my case since the Torgny at Dallas,
audition, and the results of my letter dated January 3 to Senator Russell,

P. O. Box 1000
LEAVENWORTH, KANSAS 66040

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
F. B. P.

Mr. William B. Martin

Attorney at Law

International Trade Mart

Dist. Attorney at Law New Orleans, Louisiana
2700 Treblane ave 70113

70119

June 16, 1967

Mr. William B. Martin
Attorney at Law
International Trade Mart
New Orleans, Louisiana 70113

Dear Mr. Martin:

I hope you met with success in your trip to Atlanta. I cannot
check in documents on June 13. Psychiatry & was interviewed by Dr. H. Wayne
Marty, the police psychiatrist at ^{in prison} ~~prison~~ ^{in prison} ~~prison~~. He told me that I had been
sent to the Mental Center for Federal Bureau/Police "Spangole" reports
you were mostly ill."

I am sure you are aware that the psychiatric reports submitted to me
by the M.C.F.P. prior to my return to Government last fall, contained no such
finding with regard to my then current mental status. Further, Dr. Marty's
admission is in conflict with the recent report submitted to me at the
M.C.F.P. and the information provided me by its Director and the Chief of its
Neuropsychiatric Service.

During the course of my interview by Dr. Marty & was quoted as to
why I was in EC base on the date of my arrest and the reason I asked the
State it is alleged & admitted to not. Although I don't recall the exact report
for Dr. Marty's purpose, I must say that these quotations were not in the
form of my well-thought-out statements to answer them, the fact that I am
convinced of my own sanity, and not admitting the schizophrenia
would have been the basis of my own (last December 30, 1966) that I am
willing to repeat from during the date of my arrest.

In view of the information & have previously furnished the

audible, and the result of my letter still January 3 to Senator Russell,
 not to mention what has transpired in my case since the tragedy at Dallas,
 I find it difficult to accept the promise that the Attorney's questions were
 asked only from the standpoint of professional courtesy.

Now, sir, if the foregoing is merely the prelude to continued questioning
 outside the promise of legal counsel about the circumstances leading to the
 incident at El Paso, or if my request to answer such questions in the future
 is going to result in the same type of treatment I now subjected to at the
 instance of Mr. James D. Baker in 1984, then I feel that appropriate steps
 should be initiated immediately to safeguard my interests and protect my rights
 as to personal freedom of speech from restriction.

My sister, Eleanor, has advised funds at her disposal to finance
 my litigation you may deem necessary in this matter.

Sincerely,
 Richard C. Vogel

Richard C. Vogel
 PMB A-833376-1
 Haverhill, Mass 01830

cc: Hon. Richard B. Russell, U.S.S.

P. O. Box 1000
LEAVENWORTH, KANSAS 66048

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
F. B. I.

Mr. William B. Martin
Attorney at Law

International Trade Mart

Dist. Attorney Off. New Orleans, Louisiana
2700 Tulane Ave 70113

70119

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mr. Richard Case Nagell
U. S. Penitentiary
Leavenworth, Kansas

20 June 1967

Dear Mr. Nagell:

After my most recent visit with you at the Springfield Medical Center, I traveled briefly to interview the witness you had indicated as being valuable to your appeal and to obtain from him evidence that he might have had.

Fortunately enough, I was able to locate the witness with absolutely no trouble and managed to spend several hours in amiable conversation. I was much impressed by this individual; by his dignity, bearing and loyalty. I am satisfied in my own mind that he would have helped in every possible manner in the legal battle that lies ahead.

Unfortunately, however, the physical evidence that I had hoped to obtain was not available. Apparently it was the subject of a burglary sometime in 1964 and was the only item of interest to the burglar, who did not disturb, as far as can be determined, any other items of value...so I am told. In any case, I was interested in nothing else.

Of course I will continue the preparation of our case with all diligence, but I wanted you to know that this particular effort had been in vain.


WILLIAM R. MARTIN

WRM/lm

P.S. In as much as I am not certain of your present address, I would appreciate acknowledgement of this letter.

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA



AIR MAIL

Mr. Richard Case Nagell
U.S. Penitentiary
Leavenworth, Kansas

AIR MAIL

June 30, 1967

Mr. William R. Martin
Counselor At Law
International Trade Mart
New Orleans, Louisiana 70113

Dear Mr. Martin :

I am in receipt of your letter dated June 20. Since the physical evidence referenced therein is no longer available, for whatever cause, I see no purpose in continuing with the preparation of my case.

Richard C. Nagelle
A-83286-L

P. O. Box 1000
LEAVENWORTH, KANSAS
66048

OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. P.

Mr. William B. Martin

Counselor At Law

2700 Tulane Ave.

International Trade Mart

New Orleans, Louisiana

70113

% D.A.'s Office

S.P.

Arthur:

This will serve to introduce Mr. William R. Martin, an attorney from New Orleans, associate with the Orleans Parish District Attorney's Office. Please make sure he identifies himself.

I have advised him you know absolutely nothing concerning my activities in Mexico during September and October 1962, and that our acquaintance is derived from friendship, nothing else.

I have asked him to contact you only in the event I should become deceased.

On this score, and only if you know such names at the fact, I would ask that you furnish Mr. Martin a description of the following persons, as near as you can recall:

1. Maria del Carmen;
2. "Bob" (the concession guy who conversed with me in Spanish at the party given by the Colombian & Cuban girls who worked at those restaurants);
3. The Chinese guy we met at Santora's restaurant one evening, with whom I exchanged business cards.

1812 Floral Drive

Wilmington, Del. 19803

Dec. 23, 1966

Richard C. Nagell

PMB83286

Leavenworth, Kansas

Dear Dick:

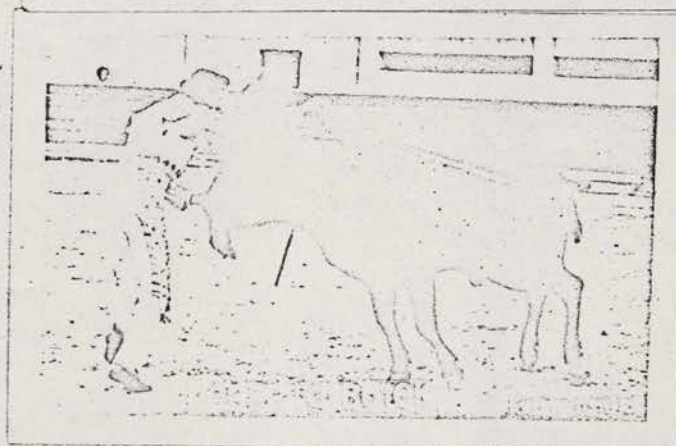
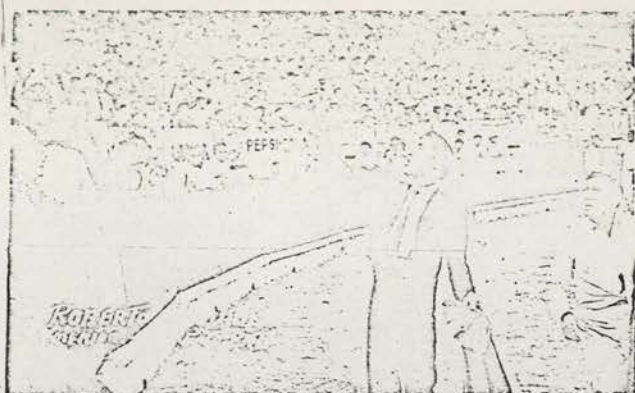
Thank you very much for the Christmas card. It was great to hear from you.

You can tell the people in charge that I'll stand by you in the ways that they approve.

Sincerely,

Arthur

Arthur Greenstein



A. Greenstein
1812 Floral Dr.
Wilmington, Del. 19803



PRAY
FOR
PEACE



NOT AN APPROVED
CORRESPONDENT

[Handwritten signature]

83286

Mr. Richard C. Nagell PNB
P.O. Box 1000
FPH 66048
Leavenworth, Kansas

C113

June 7, 1967

Dear Frank,

This will serve to introduce you, William B. Martin, an attorney, who is acting in my behalf. Please have him identify himself. I have advised him that our acquaintance is derived entirely out of friendship and that you have absolutely nothing about my past abetings and activities during the years 1962-1963. I have written you at least four after they went to Sacramento, but never received an answer. Is everything O.K.? I hope you will keep confidence in me until I am deemed in the position to tell you my side of the story, relative to the efforts for which I have now been twice censured and sentenced to the maximum penalty of five years.

In the event you did not receive my last letter, and greeting you still have permission of, or know the location of, my personal belongings, I would ask that you check them and give to Mr. Martin one of the small reading tapes which is labeled "Martin-August 23, 1962" or "Martin-August 27, 1962," or with number phone typed on the label. They are in a box (open top, I believe) marked my phone in Rome. If any of the tapes are undated, then all I am giving the first part of them (if it is in Spanish) to attention which are as applicable.

Moreover, I would ask that you immediately dispose of all tape recordings that were in my trunk in September 1963, and also destroy my passport, and all "interviewing material." (I have also advised Mr. Martin that you do not know the contents of any documentation, photographs, films, prints, pamphlets or the nature of any belongings you have ever kept for me at my request). Please keep the other things for me, the new interviewing things, until I get out of the house. Thanks you. (Please destroy the letter) Dick — Jacksonville

June 7, 1967

File
Richard M. Rogers

Dear Fred,

She will come to introduce me. William R. Martin, an attorney, who is
that our acquaintance is drawn strictly out of friendship and that you have
absolutely nothing about my past doings and activities during the years 1962-1963.
I have written you at least three after they went to Government, but none
arrived as intended. Is everything O.K.? I hope you will keep confidence in
me until I am ready to see the picture to tell you my side of the story, which
to the extent for which I have now been twice convicted and sentenced to the
maximum penalty of ten years.
In the event you did not receive my last letter, and preceding you will
have permission of, or from the location of, my personal belongings, I would ask
that you check them and give to Mr. Martin one of the small meeting topics
which is labeled "Martin-August 23, 1962" or "Martin-August 27, 1962," or with
similar phrase typed on the label. They are in a box (open top, I believe) marked
my phone in New York. If any of the topics are undated, then let him play the
first part of them (if it is in Spanish) to someone who can be applicable.
Moreover, I would ask that you immediately dispose of all topics meeting
the same as my book in September 1963, and also destroy my passport, and all
"sensitive material." (I have also advised Mr. Martin that you do not have the
contents of my documents, photographs, films, notes, passport, or the nature of my
belongings you have ever kept for me at my request). Please keep the other things
for me, the more sensitive things, until I get out of the house. Thank you.
(Please destroy the letter) Dick — Dismissible

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mr. Richard Case Nagell
83286
U.S. Penitentiary
Leavenworth, Kansas

11 September 1967

Dear Mr. Nagell:

Your letter of 30 August was in the office when I returned from the weekend. It had arrived, I am told, late Friday afternoon. This seems an unusually long time for mail to be in transit...at least moreso than any of your other letters to me.

Senator Russell's letter to you, dated 20 January, will be in the evening mail to your sister by registered mail. I presume that Mrs. Gambert will have returned by now to her address in Elmhurst. I apologize for my oversight in not having included Russell's letter in my mailing of 25 July.

Continuing our remarks concerning your July 16 letter to my "associate": I understand, now, your remarks concerning the company, but I would not have without your explanation. For whatever it may be worth to you, you might doublecheck on your source of information. It was inaccurate and that threw my understanding off stride.

As to the balance; it may be unimportant...but it is still as cryptic as ever, I'm afraid. By deduction, should you have in mind Mrs. Fredricks in Colorado, then let me say that after my visit with her I wrote two letters. One, a polite thank-you note, the other a followup asking if they had received the first...in neither case did I receive a reply.

Your waiver of privileged communication with me is acknowledged and accepted and, insofar as I am concerned, was neither unnecessary or academic. Since you did not indicate anything specific, I will, as you said, await the dictates of the future.

Richard Case Nagell
page 2

Over the past several days I have been busy refurbishing my office and renewing contacts with old friends and clients. One of the latter is the Hedrick Land Title Corporation of Kansas City, Kansas, which corporation has asked that I pay them a visit at an early date to evaluate their Central American plans. The point is that I expect to be in Kansas City in the near future on business and will be glad to drive over to visit you at Leavenworth, if such would not be inconvenient to you.

Most sincerely yours,

William R. Martin

WRM/ml

encl.

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mr. Richard Case Nagell
83286
U.S. Penitentiary
Leavenworth, Kansas 66048

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SANTA BARBARA • SANTA CRUZ

DEPARTMENT OF PHILOSOPHY

LA JOLLA, CALIFORNIA 92037

September 15, 1967

Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana 70113

Dear Bill:

Thanks for the news about our friend. I am not sure it
it will be possible for me to visit him, but I hope you
will keep me informed of what happens next at your end.
The last letter is, I'm afraid, a bit too cryptic for
me to tell what is going on at this point, but I think
we should keep all channels open.

I just made my try to run the ad in the Berkeley Barb.
I have a copy of the latest issue, and your ad isn't in
it. I asked them to run it for two weeks. We'll see
if anything happens this time. The paper has published
all summer.

In my files I am missing two crucial items: your report
of your ~~trip~~ visit in June, and the report of your trip
to California. If these reports have been completed, I
would very much appreciate having them.

Hope all is going well.

With best wishes,

Dick

Richard H. Popkin

RHP:b

UNIVERSITY OF CALIFORNIA, SAN DIEGO
DEPARTMENT OF PHILOSOPHY
LA JOLLA, CALIFORNIA 92038



PAR AVION VIA AIR MAIL CORRICO AEREO

Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana 70113

411 Louisiana St
70118

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SANTA BARBARA • SANTA CRUZ

DEPARTMENT OF PHILOSOPHY

LA JOLLA, CALIFORNIA 92037

September 15, 1967

Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana 70113

Dear Bill:

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it. I asked them to run it for two weeks. We'll see
if anything happens this time. The paper has published
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of your ~~trip~~ visit in June, and the report of your trip
to California. If these reports have been completed, I
would very much appreciate having them.

Hope all is going well.

With best wishes,

Dick

Richard H. Popkin

RHP:b

UNIVERSITY OF CALIFORNIA, SAN DIEGO
DEPARTMENT OF PHILOSOPHY
LA JOLLA, CALIFORNIA 92038



PAR AVION VIA AIR MAIL CORRICO AEREO

Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana 70113

411 Laureline St
70118

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Dr. Richard H. Popkin
Department of Philosophy
University of California
La Jolla, California

11 September 1967

Dear Dick:

Your letter of the 1st. has just reached me. The offices at the Trade Mart are being redone and I will not be headquartered there for another week or more.

I have received a letter from Nagell, as I had hoped I would, in which he was conversational, calm, polite and, as usual, somewhat cryptic. I do not have access to a xerox at the moment, so will have his letter copied in extenso and enclosed herewith.

I do not agree with Jim that Nagell has written off our relationship...notwithstanding his "thanks for nothing" close to one of his letters to me. His recent letter is sufficient proof of that, and I fully expect that more will follow. For my part, I will answer his letters and visit him at my own expense if ever he wishes it or indicates a further effort to help Jim's case. I am absolutely certain that the man can tell us much and can prove most of what he says, but that he must be given his own head and thoroughly satisfied that his confidences and personal trust will not be mishandled...and that he will be benefitted from it all...directly and substantially...by having his case brought to light, and pardoned, paroled, vindicated, what have you. He deserves it.

I will be glad to copy you with all of Nagell's correspondence to me and mine to him, so that you might better analyse and prepare your own work with him. Your file is now up to date and I will gladly keep it that way. I would appreciate a word or two from you as to your own progress.

My brief note to the Berkeley Barb, with personal check enclosed, was never answered, the check never cashed, and a copy of the ad never sent me. Perhaps the whole outfit closed down for the summer?

Dr. Richard H. Popkin

page 2

In Los Angeles I visited

Frederick H. John

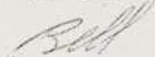
474 Crane Street

Telephone 225-7031

In my last letter to Nagell, and in his last two to me, you will find that he cryptically mentions a letter he sent to my "associate" and, later, he says he is troubled that I do not instantly know to whom he refers, and Nagell continues to develop that topic for another paragraph or two. I have the feeling that he refers to JOHN, and that he is considerably more worried than appears since he relieved me from our privileged communication status.

I am not sure why he did this or where he expects it to lead, but I will keep you posted on any developments.

Best personal regards,



WILLIAM R. MARTIN

WRM/ml

encl

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

AIR MAIL

Dr. Richard H. Popkin
Department of Philosophy
University of California, San Diego
La Jolla, California 92038

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SANTA BARBARA • SANTA CRUZ

DEPARTMENT OF PHILOSOPHY

LA JOLLA, CALIFORNIA 92037

September 15, 1967

lower line 411
Martin's no:
res. UN 6-0621

Mr. Jim Garrison
4600 Owens Blvd.
New Orleans, Louisiana

Dear Jim;

I have just heard from Bill Martin that he has had another letter from X. I think we should encourage Bill to stay in contact with him, since that is one of the very few channels that we have.

It doesn't look too likely that I shall be able to make the planned trip. Jones will be down to see you soon and will explain. We are investigating an alternative plan for proceeding.

I still haven't received the transcript of X's trial (nor Andrews') nor the reports of Bill's last visit to X, and of Bill's western trip. It will help a lot if I can get these soon.

I learned from Bill that his ad never ran in the Berkeley Barb, so I sent in money today to run it in the next issue. We'll see if anything turns up.

The Playboy interview is excellent, and from what I hear, is being well received.

You may be interested that as a result of my piece, James Phelan came to see me, and Gordon Novel called on the editor of the New York Review of Books. I'll tell you about it when I see you. I'll try to get down for part of the Shaw trial. Hope all is going well.

With best wishes to you and the family,

Dick
Richard H. Popkin

RHP:b

note: Bill told him to
be going there on his own expense

529-1601

Richard
Novel

9/22/67

WHA

821-1818

9/22/67

9/22/67

Dush!

- Better to
write letter.

9/22/67

ps

7/6/67
Wm Martin

Important
214-4666

March 23, 1967

Office of the District Attorney
City of New Orleans
Louisiana

Dear Sirs:

The following might be of interest to you. At the time the following events occurred (mostly alluded-to events, to be sure), I was too wary to pursue them; too frightened would be a better description.

In March of 1963 I was "befriended" by Richard ^{NEG} Nagell, an ex-captain of Infantry (Korean war) and ex-CIA agent. The first claim was proven; the second was, of course, impossible to confirm. At the time, I was proprietor of a "left-wing bookstore" (Los Angeles' Police Department's "Red Squad's" description) and an executive officer of the Los Angeles Fair Play for Cuba Committee.

Nagell's behavior was cautious and quiet. After a series of conversational encounters he showed me what amounted to a scrapbook of his life. The news clippings were authentic; I checked them out. I cannot attest, naturally, to the photostatic copies of personal documents, Xeroxed copies of Army records, etc. In fine, ex-Captain Nagell was a mysterious figure; and in my semi-professional judgment certainly not a paranoid schizophrenic. He was checking me out, slowly, carefully, for a reason unknown to me even today.

I checked out some of his record. He was a highly-decorated war hero; he was critically injured in a plane crash somewhere in Cambodia in 1957 while, as he claimed, he was in the employ of the CIA. He was shot almost to death in Long Beach, California, in 1960, by an unknown assailant (he wouldn't talk about it). While critically wounded by a .38 caliber bullet in his chest, he hired a cab driver to take him 30 miles to a Santa Monica hospital (verifiable) where he entered under an alias.

Suddenly, in August of 1963, he left Los Angeles, leaving me only a cryptic note saying something about contacting me later and that "certain people in certain circles thought very highly" of me. Whatever that meant.

In March of 1964 he sent me two letters from El Paso, Texas, allegedly smuggled from jail. He

was, I learned, being held for "armed robbery." The first letter was a curious request that I, if questioned, be sure to attest to his "right-wing leanings;" and that I take into consideration that the events in "D" (Dallas) might have been a tragic blunder ("sometimes things go wrong"). The second letter was a request to mail out a series of letters (in the form of a prepared press release) to the Warren Commission, The L. A. Times, The N. Y. Times, and others, reporting that he had been overheard to say during his arraignment that "the FBI held full responsibility for Kennedy's assassination;" and that he was immediately led out of the court by "federal men."

The second letter began, as did the first, with the information that the return addresses on the envelopes were "phony" and to disregard them. The street names and numbers were identical, and the city was El Paso. In checking, true, they were fictitious: no such El Paso street. But there was such a street and number in Los Angeles. It was two doors away, I discovered, from Richard Nagell's mother's house.

I secured her phone number, called her (using an assumed name), pretended to be an old Army buddy who had accidentally met Richard a few months ago, and asked, "What the hell, anyway, was the meaning of the strange postcard I received from him from El Paso, saying he was 'in trouble'?"

It took almost half an hour to assure her that I was what I said I was before she admitted that: 1) the FBI had told her not to talk to anyone; 2) they assured her "Richard was sick;" 3) she felt something was very wrong; and 4) Richard somehow "knew something" about the assassination. She would not tell me what he had been arrested for and convicted of; she would only say that I should go to the town from which the letters were mailed.

Two years ago my wife and a friend read all of the meagre correspondence between Richard and me, reviewed the facts, and burned the paperwork. In fine, we were scared. It would be silly of me not to be frightened even today. If you wish to talk to me, place an ad reading:

Don Morgan contact
Jim immediately

BE-84590

in The Berkeley Barb, 2421 Oregon St., Berkeley, California (a weekly newspaper). If not, good luck with your investigation, gentlemen; you will certainly need it.

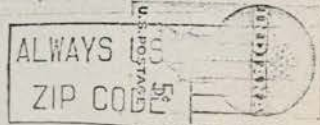
Sincerely yours,

Don Morgan

Don Morgan (alias)

P. S. I do not know Nagell's whereabouts, except that he was convicted and was last reported in a Texas federal prison.

copies to: file
Ramparts
Mark Lane



WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mrs. Eleanore G. Gambert
8225 Grand Avenue
Elmhurst, Long Island
New York

11 September 1967

Dear Mrs. Gambert:

Enclosed you will find an original letter addressed to your brother, dated January 20, 1967, written on the stationary of the United States Senate and signed "DICK RUSSELL".

Said letter is one of the documents that your brother had asked me to forward to you with my mailing of 25 July 1967, but which, through my own oversight, I failed to include.

Most sincerely yours,



WRM/db

encl.

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mrs. Eleanore G. Gambert
8225 Grand Avenue
Elmhurst, Long Island
New York

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DEPARTMENT OF PHILOSOPHY

LA JOLLA, CALIFORNIA 92037

September 1, 1967

Mr. William R. Martin
Attorney at Law
Trade Mart Building
New Orleans, Louisiana

Dear Bill,

Did you get any response from the ad in The Berkeley Barb? Jim has asked me to follow through on the matter, so if "Don Morgan" writes, please let me know. Also, is the ad still running? If you got no response, I may try the ad again, and see if maybe "Morgan" was away for the summer.

Have you heard anything further from our friend? Arrangements are being made to see if I can visit him. So, if you have any late word, please let me know how matters now stand.

Also, I'd appreciate it if you could let me know the first name of the man you visited in Los Angeles.

Hope things are going well.

Best wishes,

A handwritten signature in cursive script, appearing to read "Dick", is written above the typed name.

Richard H. Popkin

RHP:b

UNIVERSITY OF CALIFORNIA, SAN DIEGO
DEPARTMENT OF PHILOSOPHY
LA JOLLA, CALIFORNIA 92038



HELP CONTAIN
CYSTIC FIBROSIS

Mr. William R. Martin
Attorney at Law
Trade Mart Building
New Orleans, Louisiana

411. Lawrence, St.
70118

This will complete your file to date
on Richard Case Nagell,

No copies have been distributed.

Bill Martin

M E M O R A N D U M

May 11, 1967 (Transcribed)

TO: JIM GARRISON, District Attorney

FROM: WILLIAM R. MARTIN, Assistant District Attorney

RE: RICHARD CASE NAGELL
A-16606-H
Medical Center For Federal Prisoners
Springfield, Missouri

On the afternoon of April 19, 1967 I had a telephone conversation with Dr. Ciccone, Director of the Medical Center For Federal Prisoners, during which it was agreed that I would be able to obtain on a subsequent visit to the Medical Center, privileged communication with the subject, Richard Case Nagell, which privileged communication had been previously denied me on a prior visit. Dr. Ciccone suggested that I confirm this arrangement and handle all details through Mr. Robert Nicholas, Chief of Classification and Parole, at the Medical Center. On Friday morning, April 20, 1967, I spoke to Mr. Nicholas by telephone and he agreed that since the subject had not been comfortable or at ease during our previous meeting in a public meeting-room, that he would be allowed to meet with me under private and privileged circumstances and Mr. Nicholas suggested that such could be arranged for Monday, April 24th.

On Sunday morning April 23, 1967, at 7:30 A.M. I departed New Orleans for Springfield, Missouri on board Delta Flight 836. The purpose of this trip was to conduct a second interview with the subject identified above who had offered himself and a tape recording to this office. The proposed circumstances of this interview were to be under privileged lawyer-client circumstances under which the subject was to be able to provide the necessary instructions for obtaining the tape recording.

I arrived at the Springfield Airport at 11:15 A.M. and checked in at the Candlelight Motel. At 12:30 P.M. I proceeded to the Medical Center for Federal Prisoners and met with the subject during the regular visiting hours from 1:00 to 3:00 P.M. When Mr. Nagell was shown into the visitor's room a few minutes after 1:00 o'clock he seemed extremely glad to see me and conducted himself in a very pleasant manner. He inquired about his recent letter to me (copy attached) and asked if I had received it. I explained to the subject that I had received his letter and had travelled to Springfield because I had been able to obtain assurance that we would be allowed a private interview together under privileged circumstances. The subject was somewhat dubious about this and stated that he seriously doubted

whether he would be granted such privileged communication and that even if he were, there was no assurance that the written instructions which he could give me would not be taken from my person prior to my leaving the premises. I explained to the subject that it was highly unlikely and outlined for him a few basic reasons why this could not be done. The subject seemed to accept my explanation and we began to discuss the content of the tape recording.

The subject was willing to discuss the contents of the tape recording but asked that I not push him for too many details since he was forced to discuss this matter in extremely guarded tones. He stated that he had perhaps been a little over optimistic when he first spoke to me concerning the tape recording when he had said that the tape recording would "wrap the case for us". He stated that the tape recording would merely serve to show "conclusive proof of a plot to kill President Kennedy". He stated that there were four voices on the tape, one of which was his own voice but that he was acting as interpreter only. He implied that the person for whom he was interpreting was silent throughout the meeting and that his voice is not heard on the tape for that reason. He further stated that there was reference to persons and places in the tape recording but that the names and places used were cover names and did not literally mean what they said. For example, he stated that the name Raul appears on the tape but that Raul is a cover name for a man whose true name he will not disclose. He also stated that there is a reference to San Juan, Puerto Rico on the tape but that this is a cover for the name of Mexico City. He stated that the persons who were being tape recorded were not aware that they were being put on tape and that they probably would have shot him if they had learned what he had done.

? He stated also that the tape recording was made on the 20th or 21st of August, 1963) but it should be specifically noted that later during the interview when I asked the subject again what dates the tape recording covered he stated that the tape recording covered roughly the 26th, 27th, 28th and 29th of September of 1963. When I asked the subject about this apparent contradiction he stated that the September dates had pertained to something else and that he had not been thinking clearly of my question when he answered me.

We then began to discuss the method of obtaining the tape from the subject's friend who had it in his possession. Mr. Nagell stated that he had perhaps given me already sufficient information to obtain the tape recording and that in his opinion, his friend would probably give me the tape recording even if I were to approach him without the letter written by the subject. He elaborated by saying that he had already given me the subject's name, telephone number and address and alias and had already told me so much about the tape recording that he was certain that if I were to explain all of this to his friend, that the friend would see quite obviously that he (the subject) had intended for me to have the tape recording.

I asked the subject why he had indicated to me on an earlier meeting that the requirements for obtaining the tape had

been so extremely strict and he answered by saying that he had not quite trusted me at the time, but had since changed his mind about me.

In discussing his friend who had possession of the tape recording, the subject described him as a white male, 35 years of age, fairly slim build, short brown hair, wears glasses, and a devout Kennedy supporter who was so extremely upset at the assassination of the President that he was not able to eat for two days. Further, that for the election of President Kennedy to office, the friend had walked the streets handing out political handbills and pushing doorbells for his election. The subject further stated that his friend hates policemen but is, in his own way, a champion of justice. He further stated that his friend very often puts on the appearance of being not too bright, but that he is in fact very sharp and has a keen intellect.

Continuing the interview in a very general conversation the subject stated that shortly before the assassination he had gone to Miami where he had learned that there were two agents of the Federal Bureau of Investigation assigned to that area and working with Cuban revolutionaries and that these two agents of the F.B.I. were commonly known as "THE TACOS". He stated that when he or any of the Cubans involved wanted to get in touch with the two agents, they would call a certain telephone number which apparently a cafe or a restaurant and would ask for the men by the nickname of "THE TACOS". He stated also that while he was in Miami he had come into possession of a 22 revolver equipped with a silencer and that he had assumed that this weapon was going to be used in the assassination at close range. He stated that he had disposed of this weapon but that he could retrieve it at any time, that he knew exactly where it was, and that it was well hidden.

San Antonio
Continuing the general discussion the subject asked if the District Attorney's Office was aware of a man in San Antonio who owned a 6.5mm Mannlicher-Carcano Rifle. The subject stated that this man had known Lee Harvey Oswald and had been seen with him on many occasions.

At this point it was announced that visiting hours were over and the subject and I parted with the words that he was looking forward to seeing me the next morning in a private meeting in the office of Mr. Nicholas.

The following morning, Monday, April 25, 1967, at 8:00 A.M., I returned to the Federal Medical Center for an appointment with Mr. Nicholas. Mr. Nicholas met me at the entrance to the Medical Center and escorted me personally down a series of corridors to his office. His manner was genial and quite friendly. Mr. Nicholas sent for the subject's file and began to go through it at his desk after seeing to it that I was seated comfortably in his office. Mr. Nicholas casually inquired about my relationship with the subject and was interested to learn what grounds I was going to use to appeal the subject's case to a higher court and what the nature of the defense would be. I avoided any direct answers or any form of conversation concerning the subject but maintained a friendly and polite

attitude to Mr. Nicholas inasmuch as he was the individual responsible for arranging the privileged meeting with the subject. In the process of going through the subject's file Mr. Nicholas came to a pink sheet of paper and read it over and asked me pointedly if the subject had ever threatened to kill the President of the United States. I evidenced some surprise at this question and answered "No, certainly not to my knowledge." Mr. Nicholas wondered out loud why the aforementioned pink sheet of paper was in the file since it was a form used by the Secret Service in their capacity to protect and safeguard the President of the United States and which they added to any and all files of any and all persons who threatened or posed a threat to the President. My conversation continued with Mr. Nicholas in a very general and friendly tone.

After a moment or two Mr. Nicholas looked up from his desk in the direction of the front door of his office and said "Just a moment Mr. Nagell we will be with you very shortly." At this time Mr. Nagell, who was not yet in my line of vision, stated "Never mind Mr. Nicholas, I think I've heard enough as it is." The subject continued by saying that he had overheard Mr. Nicholas and myself speaking and that he had changed his mind about confiding in me and that he did not want to associate with me in any manner and did not want to speak to me at all. Mr. Nicholas and I both attempted to calm the subject down. He was visibly shaken, pale, and moving his hands about in an extremely nervous manner. After a few moments I was able to convince Mr. Nagell that he should sit down with me in private at least long enough to tell me what was on his mind and what had upset him so much. Mr. Nagell and I were seated in a private room adjoining Mr. Nicholas' office and he proceeded to tell me that he had overheard me speaking to Mr. Nicholas in a "friendly" manner and that he had become extremely agitated, excited and lacking in confidence since I had been "friendly" with Mr. Nicholas. The subject emphasized the word friendly in an incredulous manner as though he could not understand how I could be friendly with Mr. Nicholas and as though he regarded Mr. Nicholas as an enemy. The subject kept repeating "I am not a fool Mr. Martin." "What do you take me for, a fool?" This private meeting with Mr. Nagell occupied some 3 to 5 minutes only after which time he arose abruptly from the table and "stalked" into Mr. Nicholas' office and demanded that he be returned to wherever he had been when he was called down to the meeting. Mr. Nicholas was as surprised as I was over the behavior of the subject and spent about 10 or 15 minutes with me after the subject had departed, and had discussed with me the subject's background which had made his conduct possible. Mr. Nicholas also called the physician who had been supervising the subject's care, and whom the subject had come to be rather fond of, and the three of us held a lengthy conversation concerning the subject and what could be done to calm him down and re-establish rapport with him.

Mr. Nicholas and the physician were, of course, operating under the assumption that I was visiting the subject as his legal counsel only and I am satisfied that they knew nothing of my function as Assistant District Attorney. The aforementioned physician, whose name I do not recall, asked me to wait in Mr. Nicholas' office while he (the physician) went to have a talk with the subject in an effort to have him re-establish

relations with me. After approximately 20 minutes the physician returned and stated that he was very sorry but the subject had sent word that he would not continue with his plans to have me represent him in any manner and for me to "just forget the whole thing".

There being no immediate alternative available, I departed the Medical Center at approximately 9:30 and, failing to get an earlier flight to return to New Orleans, I returned to the Candlelight Motel for the day and returned to New Orleans on a Delta flight departing Springfield at 5:30 P.M.

CONCLUSIONS AND OPINIONS

According to statements made to me by the subject I am in possession of enough information concerning the tape recording and the subject's friend who is holding the tape recording, that I should be able to obtain the tape recording without benefit of the letter the subject was going to write. This conclusion is based on what the subject himself told me when he admitted to me that he had over-emphasized the security of his possessions being held by his friend. (See page 10, paragraph 3 of my first report on this subject.)

I was told by the subject's physician that the subject had earlier suffered severe brain damage in an airplane accident and that he also suffered from acute paranoia. The physician stated that within a few days the subject might have an equally strong and opposite reaction to his one at our last meeting and might be anxious to see me again. Based on this information it is possible to conclude that the subject might suffer a change in his present attitude and might ask for me to return to Springfield to continue with the meeting we had originally planned.

Based on my personal knowledge of the subject and of the circumstances of his case which he has described to me which include a chronic fear of betrayal by almost everyone, I do not feel at this time that the subject will be willing to continue our relationship.

A letter will be written to the subject in an effort to calm his fears and to re-establish our relationship.

M E M O R A N D U M

May 12, 1967

TO: JIM GARRISON, District Attorney

FROM: WILLIAM R. MARTIN, Assistant District Attorney

RE: RICHARD CASE NAGELL
Medical Center for Federal Prisoners
Springfield, Missouri
A-16606-H

On the morning of April 25, 1967, I had a rather lengthy meeting with a clinical psychiatrist of this City and, with his very valuable assistance, composed a letter to Mr. Nagell which, according to the psychiatrist, would be most likely to produce the desired results.

At no time was the psychiatrist given the correct name of the subject or his address and, for his part, asked that his assistance and cooperation be kept in confidence since he did not particularly want to become involved or to have his name connected with this matter in any capacity.

The letter to Mr. Nagell (copy attached hereto) was returned to me from the Federal Medical Center with a letter signed by Mr. Nicholas stating that the subject had refused to accept my letter and that he had requested that all persons be removed from his official correspondence list.

April 13, 1967

Dear Mr. Martin,

Yesterday I was advised by the Director of the Institution that I am being recommended for transfer to either the U.S. Correctional Institution, Lansing, Connecticut, or the U.S. Penitentiary, Knoxville, Tennessee, or the U.S. Penitentiary, Lansing, Michigan. Such recommendation will be forwarded to the Federal Bureau of Prisons, but, as I mentioned during your visit, final approval will likely rest with the Attorney General's Office.

It is my understanding, however, that I shall be sent back to Massachusetts, probably within the next few to four weeks, to await final disposition of my custody.

Upon my return to Massachusetts I think it would be wise to accept the legal arrangements as discussed, without delay; that is, providing they can be concluded satisfactorily. I am quite anxious to know where or not here. Perhaps it will bring me closer, and, if so, whether she can be supported at the address I gave you. Being a very important person without, probably at least, I would suggest a maximum effort to initiate it before the situation, thereby, of course, but she got upset at my implying.

Sincerely,

Richard C. Magill

DMB 4-16600-H

Springfield, Missouri 65823

P. O. Box No. 4000
SPRINGFIELD, MISSOURI

OFFICIAL BUSINESS

D. A.'s Office

*2700 Trilane Ave.
N.O.-La. 70119*

To *Mr. William H. Barton, Attorney at Law* Co. Sta.

International Bank Note Printing

New Orleans, Louisiana

70113



LAW DAY - U.S.
FREEDOM UNDER THE
MAY 1

Not on checked
Not refused
Not returned
Not to be addressed
Not to be sent in state
Not to be sent in the envelope

201567

*Held
for return
4-14-67*

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

April 25, 1967.

Mr. Richard Case Nagell
A-16606-H
Medical Center for Federal Prisoners
Springfield, Missouri

Dear Mr. Nagell:

After several pleasant and informative visits with you in Springfield, ending in the totally chaotic meeting yesterday morning, I feel that I know you well enough to realize that your head will be swimming with doubts and disillusionments. The purpose of this letter is only to close our relationship in such a manner that your mind will be at rest and your feelings quieted.

The covering of your case, professionally and competently, called for me to be friendly and cooperative with Mr. Nicholas, who returned this routine courtesy by extending to us the privacy of his personal office. My periferal discussion of your case with him was routine and completely in order and was confined to matters of record only. Your misinterpretation of this is entirely understandable but equally unfortunate and was in no way a breach of confidence. *ph*

Had I been in the least interested in violating your confidence or pressing forward without your advice and consent, you well realize that I could have done so after our earlier meetings, and could, in fact, still do so were I not prohibited by my own personal standards of behavior.

In summary, my representation of you has been totally dropped and our past conversations concerning this case will continue to be held in strict confidence and no effort will be made to pursue any of the matters which you may have mentioned to me.

Mr. Richard Case Nagell
April 25, 1967
Page -2-

In this regard, at the very least, you have a right to have your mind put at rest, and to be told that a strict personal integrity has so dictated.

Inasmuch as Mr. Nicholas is the only person at the Medical Center with the background to understand the cause of this letter, I am taking the liberty of mailing it to him personally, lest it confuse, or become sidetracked, in the inspection process.

I now ask Mr. Nicholas to please deliver this letter to you or to advise me if such delivery is not able to be made.


WILLIAM R. MARTIN

WRM/leb

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

SPECIAL DELIVERY - AIR MAIL

REGISTERED MAIL
RETURN RECEIPT REQUESTED



Mr. Robert Nicholas
Chief of Classification & Parole
Medical Center for Federal Prisoners
Springfield, Missouri



UNITED STATES DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
MEDICAL CENTER FOR FEDERAL PRISONERS
SPRINGFIELD, MISSOURI 65802

April 28, 1967

Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana

Re: NAGELL, Richard C.
Reg. No. A-16606-H

Dear Mr. Martin:

I regret that I must return your letter pertaining to Mr. Nagell in that he has refused to accept it. It appears that his reaction is completely out of proportion since he has also requested his caseworker to remove all persons on his official correspondence list except magazines and newspapers.

Your dedication to this man is remarkable.

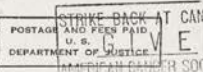
Sincerely,

R. S. Nicholas
R. S. Nicholas, Chief
Classification & Parole

RSN:vs

Encl.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
MEDICAL CENTER
SPRINGFIELD, MISSOURI
OFFICIAL BUSINESS



*Dist Attorney's office
2700 Tulane Ave.
70119*

Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana

Dear William,

Sorry, we can't print your ad without
the cash in advance. Rates are \$4 per ^{qs.}
line, 27 cents for 1st line, 30 for each. ^{will} send
additional line. This is for 1 edition. Please ^{now} ^{ntis}
resubmit your ad with the payment. Barb sm

BERKELEY 940-PM
2886 TELEGRAPH AVENUE
BERKELEY, CALIFORNIA 94709



Wm R. Martin
International Trade Mart
New Orleans, La. 70130
2700 Tulane Ave.
2nd Floor

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

The Editor
The Berkeley Barb
2421 Oregon Street
Berkeley, California

Dear Sir:

I should like to place the following ad in The Berkeley Barb:

DON MORGAN CONTACT
JIM IMMEDIATELY

Would you be kind enough to advise me of your advertising rates as soon as possible?

Most sincerely yours,

William R. Martin

WRM/leb

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

The Editor
The Berkeley Barb
2421 Oregon Street
Berkeley, California

April 17, 1964

Dear Eleanor,

Would you please keep the
enclosed copy of a letter for me in
a safe place.

I am sorry that I cannot explain
about such letter at this time.

Please acknowledge receipt of
the letter by writing in your next
letter, "Do you have access to a
typewriter in jail."

Thank you - Dick

March 13, 1967 (page 2)

There it is. Also, please advise that whether or not I cooperate further in this matter or produce additional evidence will depend largely on how this transaction is handled.

Would you please acknowledge receipt of this letter as soon as possible and let me know if you will initiate the action requested. The decision is up to you and I won't feel hurt if for some reason you cannot. Thanks.

With love - Dick

Richard C. Nagell PMB A-16606-H

File

April 5, 1967

CONDITIONS

Following are the conditions required by Richard C. Nagell (and in his exact words) under which the described matter will be made available to District Attorney Jim Garrison:

"That I shall not be charged as an accessory or held as a material witness or prosecuted for concealing and withholding evidence relative to his inquiry. That I shall in no manner be identified outside of official channels as having supplied information or material relative to his inquiry or as having been connected with such inquiry in any way. That I shall not be required to disclose how the recording tape came into my possession or queried on any alleged relationship with the individuals whose voices are recorded thereon. That the person who currently has possession of the recording tape not be identified outside of official channels, nor be questioned, subpoenaed, arrested or held in custody for any cause or suspicion stemming from this transaction. That only the recording tape germane to the inquiry be taken; all other recording tapes, films, photographs, documents (valid or fraudulent), tracts, equipment and other paraphernalia found in or about the premises designated not be confiscated or examined, except that all recording tapes in the Spanish language may be examined on the premises if there arises doubt as to which one is applicable. That upon demand a verbatim transcript of the conversation recorded on the applicable tape be turned over to me. That the person who currently has possession of the aforesaid objects and paraphernalia be allowed to dispose of them (the applicable tape excepted) pursuant to my written instructions without delay or interference. That no search warrant be requested or issued in this matter; entry to the premises designated and conduct of the inspection therein be effected under the supervision and control of the person to whom my letter of introduction is addressed. That no private, local, state or federal investigative or law-enforcement personnel or agency, other than the one to which this stipulation applies, be notified of the time, date or location of such inspection, or of any information related thereto, until one week has expired from the date such inspection is completed."

AGREED TO: _____

Jim Garrison

WITNESSES:

M E M O R A N D U M

April 18, 1967

TO: Jim Garrison, District Attorney

FROM: William R. Martin, Assistant District Attorney

SUBJECT: Richard Case Nagell, Federal Prisoner No. PMB-A-16606-H
Medical Center for Federal Prisoners, Springfield, Mo.

On Monday morning April 10, 1967 at 7:30 A.M. I departed New Orleans for Springfield, Missouri on board Delta Flight 836. The purpose of this trip was to interview the subject identified above who had offered himself as an informant to this office. Upon arrival in Springfield at 11:17 A.M. I retained yellow cab number 9 and was driven directly to the Federal Center. There I was advised by the guard at the main entrance to the building that he would have to obtain the permission of the classification and parole officer assigned to the subject before I would be allowed visiting privileges. The guard requested that I fill out a "visitors form" and he then took my completed form and the subject's record jacket elsewhere in the building out of my sight and returned at about ten or fifteen minutes and stated that I would be allowed to visit the subject during regular visiting hours from 1 to 3:00 P.M. By this time it was 12:20 P.M. so I elected to have yellow cab number 9 wait for me.

At five minutes to one P.M. I was ushered, along with several other visitors, into a very large and informal waiting room where we were asked to await the arrival of the person whom we had come to visit.

NOTE: Contrary to what I had been told to expect, I was not personally searched nor was my briefcase searched prior to being allowed in to visit the subject. For future reference it should also be noted that the inmates or prisoners of this Federal Medical Center are not allowed to write in any manner or to sign their names to any documents or papers during a visit

without the prior consent of their classification officer. All material written or signed by the inmate is censored by the prison officials and there exists no privileged communication between lawyer and client at this institution unless special arrangements have been made for a private interview by the inmate himself. The visitor is free to write his own notes during the visit with the inmate and may hand the notes and other documents or papers to the inmate for the inmate to read and this is done without supervision or censorship but, in no case may the prisoner write or sign his name or deliver a document to the visitor without the aforementioned prior approval.

The following interview with the subject, Richard Case Nagell, took place over a two day period and a total of four hours of standard visiting hours. The interviews with the subject were made without taking notes since the presence of a note pad and a pencil seem to make the subject nervous and reluctant to speak freely.

The subject was brought into the visiting room promptly at 1:00 P.M. on April 10, 1967 and was brought to my area of the room by the guard supervising the general visiting area.

This visiting area is a large room arranged in an informal manner with many individual clusters of chairs each drawn up to a low table in the center of the cluster of chairs. The visitors face the inmate from their chairs which are drawn up on the opposite side of the small table from the inmate and, I observed that in no case were the visitors allowed to sit side by side with the inmate.

After shaking hands with the subject we both took seats on opposite sides of the table and the subject opened the conversation immediately by saying that he was sorry that he had caused me to make this long trip from New Orleans for no purpose at all. He stated that he had given the matter much thought and that he had decided that it would be useless and not in his own best interests for him to confide in this office or to turn over any

material or evidence to us. He stated that he was worried about recent events and was at this point afraid to confide in anyone. He elaborated that he had become very suspicious of just about everyone and was extremely upset by the way "things were being handled". Further prompted, the subject stated that he had asked his sister to contact Mr. Garrison personally and had given her explicit instructions as to how he had wanted this contact to be established. He said that his sister had gone about things in exactly the wrong way and that she and her husband were trying to play "amateur detective" and that all they were going to succeed in doing would be to get him in even deeper than he was and to stir up more pressure and more trouble. He stated that recently his brother-in-law had visited him in Springfield and had attempted to "interrogate" him very closely about this case and other matters in his past but that he (the subject) had decided to trust absolutely no one and that he would simply let his case and everything pertaining to it remain in the status quo.

At this point it seemed patently unwise to question the subject or to push him in any manner and our conversation was permitted to drift into other unimportant and miscellaneous channels.

The subject was quite interested and willing to reveal to me certain things about himself and about the depth and complexity of his own case and of his past personal life. He stated to me that he had been "a very bad boy for a very long time" and that no one knew of this since he had never discussed his personal beliefs or his personal activities with anyone and had always concealed his activities with a good cover or front. He stated that he had been involved in certain activities which could get him in a tremendous amount of trouble if the activities became known and that he would probably wind up spending the rest of his life in prison if anyone ever discovered exactly, and could prove exactly, what he had been up to. He stated to me that he had been a Marxist-Leninist for many years and that he had no particular love or loyalty to the United States and was not interested in helping the

United States or any of our Government functions, nor was he interested in helping this office with our investigation, for any reason, or out of any motive, whatsoever except insofar as he thought it might be a benefit to him personally and that if he ever did decide to help this office in any manner it would only be because he decided that it would help "this number one boy" (at this point the subject pointed to himself).

The subject became intensely curious about our investigation and, as our conversation progressed, he stated that he was pleased to see that I was willing to bring him up to date on our investigation insofar as the non-confidential aspects were concerned and he stated that he was certain that, at this stage of the game, we too had our hands full with amateur sleuths who were coming out of the woodwork. Our discussion continued along this general pattern until I mentioned to the subject that he really should not be^{too} disturbed or upset by the conduct or amateurish approach of his sister and brother-in-law since, after all, it was the best that could be expected of anyone who was not accustomed to this sort of thing and that they certainly could not be expected to behave as professionals.

At this point the subject stated that this was precisely the professionalism he was looking for when he had asked that he be contacted by Mr. Garrison. He stated that he had kept account of our progress as best he could through his limited access to newspapers and that he admired Mr. Garrison for his willingness to undertake this investigation and expose the truth regardless of where it may lead. The subject stated that he had seen Mr. Garrison on television, or had perhaps readⁱⁿ a newspaper, Mr. Garrison's statement that "let justice be done though the heavens crumble" and that he (the subject) had been very much impressed with this statement and had hoped to be able to assist Mr. Garrison and, in so doing, ultimately assist himself and benefit his own position.

At this point I assured the subject that any information or material he released to Mr. Garrison's office would be handled with the strictest confidence and that it would receive the most competent and professional treatment that the office could make available. With no further encouragement the subject began to discuss the Kennedy assassination and his own relationship to it.

He stated that there had actually been three separate plots to assassinate President Kennedy. The first was a plan to kill President Kennedy by bombing (a concealed bomb in the speaker's platform or the speaker's podium) on the occasion of December or January of 1962 when the President traveled to Miami, Florida to address the group of Cuban prisoners who had taken part in the Bay of Pigs invasion and who had just been released and returned to the States. A second and similar plan to kill the President was to have taken place in June of 1963 when the President had traveled to Los Angeles for an important speaking engagement. The subject stated that the first and second plots (above mentioned) had never really become serious and that the plans never did reach more than just the talking stage. The third and final plot, which did in fact end with the assassination of President Kennedy, was an offshoot of the other two plans and was planned and put into effect by the same group of people.

The subject stated that these plots to kill President Kennedy had each involved several men, some of them Cubans, and that all three plots had been based along the same thinking and logic.

At this point the subject asked me if I was aware of the fact that the Cuban refugees in the United States had formed and organized a great number of movements, organizations, groups, and societies all of which were, in one way or another, dedicated to the overthrow of Fidel Castro. Most of these organizations of Cubans are either formal or semi-formal organizations with elected Presidents and officers and go under a variety of names, such as "Alpha 66", "Jure", "Cuban Revolutionary Democratic Front", etc.

The subject made it expressly clear at that time that none of these organizations, acting as organizations, planned to assassinate, or in fact assassinated, President Kennedy. Rather, he stated, that the Cubans who took an active part in the assassination acted as individuals and that they did not all belong to one organization or even to two organizations, even though they had all come together and become known to each other because of these organizations.

At this point the subject became rather nervous and seemed to be reluctant to continue his description of what had taken place in connection with the Kennedy assassination. He asked a variety of questions concerning the theories on which Mr. Garrison had been working and whether or not we had received or had been offered any cooperation by the Central Intelligence Agency or the Federal Bureau of Investigation. I assured the subject that insofar as the Kennedy assassination was concerned, that this office was working entirely independently of any other organization and that we did not believe that the FBI or the CIA could be inclined to offer us any assistance. This statement seemed to relax the subject a bit because, as he said, the information he was about to give me, or could give me, was not such that it would enhance the public image of either the FBI or the CIA.

At this time the guard in the visitors room at the Medical Center for Federal Prisoners announced that visiting hours were over and the subject and I were forced to take very rapid leave of each other. Prior to departing the subject asked me if I could possibly stay in town and return during the next visiting hours and I assured him that I had no intention of leaving town until after he had told me everything he had to say. This concluded my first interview with the subject, Richard Case Nagell at 3:00 P.M. on April 10, 1967.

Upon leaving the visiting area of the Medical Center I asked to speak to the prison social director Mr. Matthews and to the classification and parole officer in charge of the subject's case. Neither of these gentlemen were available to speak to me and I was asked to return later in the afternoon to see them and I was also asked to leave a message as to the nature of the business I had with them. I left word that I wished to make arrangements for a privileged attorney-client interview with the subject since I had not been satisfied with our meeting in a public meeting room. For the rest of the day and during the morning of the next day both of these men successfully avoided and evaded my attempts to see them in their offices.

On Tuesday morning at 8:30 A.M. I returned to the Medical Center for Federal Prisoners and continued my interview with the subject, Richard Case Nagell. Without preliminaries Mr. Nagell continued our conversation exactly where it had been interrupted the day before by asking me what theory Mr. Garrison was working on as regards the assassination of President Kennedy. The subject apologized to me for having to ask me to explain our theory or theories and explained himself by saying that he was very much concerned lest we involve him by accident in more trouble with the FBI or the CIA. The subject said that he could not afford, at this point, more trouble with either of these organizations and that he had to make absolutely certain that our approach to the investigation of the assassination was not such that, with the information that he could give us, would lead him, in his own words, into more hot water.

At this time I presented to the subject the following possibility:

That early in the Castro regime in Cuba, various efforts were made by patriotic and anti-communist cubans, to overthrow and/or to assassinate Fidel Castro. That these efforts included small guerrilla raids launched from the Florida Keys, small attempts to land weapons and explosives in Cuba for use by the anti-Castro

Cubans, and efforts on the part of many refugee Cubans in the United States to form large organizations to collect money and weapons and to train forces for an invasion of Cuba to overthrow and/or assassinate Fidel Castro. That much of this anti-Castro work was encouraged, sponsored and financed by the Central Intelligence Agency and that for all practical purposes these miscellaneous efforts on the part of the Cubans and the CIA had been totally useless. Adding insult to injury, the Bay of Pigs invasion, an acknowledged CIA operation, was a total disaster when the Kennedy administration decided at the last minute that they could not afford, publicly, to lend our support to the Bay of Pigs Invasion in the form of Air Support and invading troupes which had been promised to the Cuban invaders. That during the long imprisonment of the Cuban troupes of the Bay of Pigs Invasion, the entire invasion operation-CIA involvement was publicly investigated and openly criticized, and that the Kennedy administration had stated as their final excuse, that world opinion and the opinion of the American public was insufficiently aroused to justify an armed invasion by the United States of the Island of Cuba. That this rationale so inflamed many of the Cuban refugees that a group of individual Cubans along with a few United States citizens decided to take matters into their own hands and to perform an act so violent and outlandish in itself, that it would instantly arouse United States and world opinion to such an extreme pitch that an armed invasion by the United States, with United States military forces, would be then justified on the Island of Cuba. This single act, designed to inflame world opinion, was the assassination of President Kennedy. That this assassination was planned originally in such a manner that the assassins and/or their fall guy would be able to take immediate refuge in Cuba and that this, in addition to other evidence which was intended to come to light, would make the assassination look as though it had been designed, planned and executed under the orders of the Fidel Castro regime in Cuba. This, the involvement of Fidel Castro in the assassination of President

Kennedy, would then justify an immediate invasion of Cuba by the United States military forces.

Throughout my explanation of the above possibility the subject had followed my words with extreme interest and had nodded his head vigorously on occasion. He now stated "that is absolutely right", as a general picture, but of course there are some fine points here and there that you have not covered". He went on to say that we were obviously aware of many of these fine points, or we would not know as much as we already obviously did. He also stated that the evidence which he wanted to give to Mr. Garrison was of such a nature as to "wrap up and put a seal on" the entire investigation.

In discussing the evidence that he wished to turn over to Mr. Garrison the subject went into some minor detail as to how he came to possess the evidence. The subject stated that for a long time he, as a Marxist-Leninist, had worked "for the other side" and had worked under the specific control of the Soviet Embassy in Mexico City. In this connection, the subject stated that he had done a variety of work assigned to him out of the Soviet Embassy in Mexico City and that he had been briefed by a member of that Embassy as to the Miami and Los Angeles plots to assassinate President Kennedy. As to the assassination in Dallas the subject stated that his only connection was to function as a watchdog for the Soviet Embassy and to inform them of exactly what was taking place and of what progress was being made on a day to day basis. The subject was able, in some manner which he did not disclose, to infiltrate the assassination plot and, for a reason of his own which he did not disclose, the subject was able to make a tape recording of four voices in conversation concerning the plot which ended in the assassination of President Kennedy. It is precisely this tape recording which the subject has decided to turn over to Mr. Garrison as soon as he possibly can.

Concerning the content of the tape recording in question, the subject stated that it was a tape recording made of a conversation of four individuals and that the tape was primarily in Spanish although on certain occasions in the tape certain of the participants lapsed into English. When questioned as to the identity of the persons speaking on the tape the subject stated openly that one of them was "Arcacha" and another individual whom the subject would only identify ^{as} "Q ". The subject did not wish to go into more detail concerning the tape at that time since he, all during our previous conversations, had indicated that our conversation could possibly be bugged.

As to the method of our obtaining the tape recording, the subject advised as follows:

The tape in question, along with a variety of other tape recordings, papers and other items highly incriminating to the subject, are in a box or small trunk which the subject left in the safekeeping and care of an intimate ^{and} trusted friend. An arrangement was made between the subject and this friend that under no circumstances was this box or trunk or any of its contents to be released to any person whatsoever, other than the subject, unless the friend were to be approached by a person bearing a handwritten letter in the handwriting of the subject, which letter would have to be signed by the subject in a certain secret manner. If anyone were to approach the friend and attempt to obtain the box or any of its contents without first having obtained this letter signed in a secret manner, then, in that case, the friend had instructions to destroy ^{that} anything and everything/had been left in his safekeeping by the subject.

Mr. Nagell then indicated to me that he was willing to whisper to me the name, address and telephone number of the friend with whom he had left this evidence but prior to doing so the subject asked me to pledge my word that the name, address and telephone number of the individual would not be written down in this report. He indicated that he was aware of the possibility that

this report, or copies of this report, could conceivably leave this office and fall into the hands of the FBI or the CIA. The subject indicated that if this should happen, he was sure that the FBI would charge in on his friend, kick in his front door, and harass him into turning over all of the aforementioned material. He stated that "this material is my whole future" and indicated that he had to be particularly careful of how it was handled. This being the case, the name, address and telephone number of the subject's friend does not appear in this report but has been turned over to Mr. Garrison for use at his discretion.

The subject and I then entered into a lengthy discussion as to how the letter in question directed to his friend could be placed into my hands; bearing in mind the fact that the subject was not able to deliver to me anything in writing and that all of his outgoing written material was very closely censored. It was resolved that there were two possibilities:

1. That the subject would immediately request of the prison officials at the Medical Center that he be granted privileged attorney-client interviews with me and that if this request were granted he would then be able to smuggle this letter to me.

2. The subject stated that he was scheduled to be sent back to Leavenworth Federal Penitentiary within a few days and since privileged communications at Leavenworth were much easier to come by than in the Medical Center, he would be able to hand me the letter in question if I were to visit him at Leavenworth.

The subject asked that I return to Springfield within a few days to attempt to see him under privileged circumstances since in his own words, "time is of the essence". If this effort is unsuccessful then a second effort will be made when the subject is transferred to Leavenworth.

IMPRESSIONS AND OPINIONS: The subject, Richard Case Nagell, is an extremely articulate and well spoken individual who seems to have full command of his senses and total recall of his

activities and constantly mentions dates, times and places that pertain to matters concerning this investigation. He is of the opinion that he will be forced to complete his full ten year prison sentence, of which six years remain, unless he offers to cooperate with the FBI. It is his impression that this cooperation would mean the release to the FBI of all of the material incident to his association with the Soviet Embassy in Moscow and he is not willing to do this. Mr. Nagell stated to me that in six years from now (i.e. when he is released from prison), he will then be forced to make a final decision of either leaving this country (United States) forever or remaining in this country in good standing forever. It is his opinion that everything will depend on how the aforementioned box or trunk containing his possessions is handled. I received the impression that Mr. Nagell does not really care, one way or the other, whether he leaves this country or not in six years since he feels that it is possible for him to live in peace either in the United States or in the Soviet Union depending on the circumstances at that time. Although Mr. Nagell stated to me that he felt no particular loyalty to the United States and had worked with the Soviet Union as a matter of principle and personal convictions, he also stated to me that the release of his tape recording to Mr. Garrison was his first step in seeing what he could do to "square himself" with this country.

At this point the guard in the visiting area announced the end of visiting hours and the subject and I parted with my promise to return to Springfield within a few days to attempt to see him under privileged visiting conditions.

At approximately 11:00 A.M. on Tuesday April 11, 1967 I returned to my room in the Candlelight Motel in Springfield and made arrangements to travel to Kansas City for the purpose of meeting with Mr. Lawrence Loftus, an attorney practicing in the

State of Kansas with offices in the Hedrick Land Title Corp^{Bldg.} in Olathe, Kansas.

Pioneer Air Taxi Service from Springfield to Kansas City, Kansas departed Springfield Airport at 3:30 P.M. that date and arrived Kansas City, Kansas at 4:30 P.M. I boarded this flight and was met at the Kansas City Airport by Mr. Loftus.

Throughout the following day, Wednesday, April 12, 1967, I remained with Mr. Loftus in his^{law} offices reviewing the procedural aspects of the handling of prisoners in both Leavenworth Federal Penitentiary and the Medical Center for Federal Prisoners in Springfield. Mr. Loftus, who has had a good deal of experience with inmates at Leavenworth, is of the opinion that there will be no difficulty in obtaining privileged communications with the subject once he is transferred to Leavenworth. He also stated that privileged communications should be able to be obtained in Springfield Medical Center but only at the request of the prisoner. This was basically the same information which had been obtained in Springfield and was confirmed by my research of this date. At 8:15 P.M. I departed Kansas City on 12th of April 1967 to return to New Orleans on Braniff Flight 241.

Every effort will be exerted to obtain the letter in question from the subject and, subsequently, to obtain the tape recording referred to by Mr. Nagell.

M E M O R A N D U M

May 12, 1967

TO: JIM GARRISON, District Attorney

FROM: WILLIAM R. MARTIN, Assistant District Attorney

RE: RICHARD CASE NAGELL
Medical Center for Federal Prisoners
Springfield, Missouri
A-16606-H

On the morning of April 25, 1967, I had a rather lengthy meeting with a clinical psychiatrist of this City and, with his very valuable assistance, composed a letter to Mr. Nagell which, according to the psychiatrist, would be most likely to produce the desired results.

At no time was the psychiatrist given the correct name of the subject or his address and, for his part, asked that his assistance and cooperation be kept in confidence since he did not particularly want to become involved or to have his name connected with this matter in any capacity.

The letter to Mr. Nagell (copy attached hereto) was returned to me from the Federal Medical Center with a letter signed by Mr. Nicholas stating that the subject had refused to accept my letter and that he had requested that all persons be removed from his official correspondence list.

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

April 25, 1967

Mr. Richard Case Nagell
A-16606-H
Medical Center for Federal Prisoners
Springfield, Missouri

Dear Mr. Nagell:

After several pleasant and informative visits with you in Springfield, ending in the totally chaotic meeting yesterday morning, I feel that I know you well enough to realize that your head will be swimming with doubts and disillusionments. The purpose of this letter is only to close our relationship in such a manner that your mind will be at rest and your feelings quieted.

The covering of your case, professionally and competently, called for me to be friendly and cooperative with Mr. Nicholas, who returned this routine courtesy by extending to us the privacy of his personal office. My periferal discussion of your case with him was routine and completely in order and was confined to matters of record only. Your misinterpretation of this is entirely understandable but equally unfortunate and was in no way a breach of confidence.

Had I been in the least interested in violating your confidence or pressing forward without your advice and consent, you well realize that I could have done so after our earlier meetings, and could, in fact, still do so were I not prohibited by my own personal standards of behavior.

In summary, my representation of you has been totally dropped and our past conversations concerning this case will continue to be held in strict confidence and no effort will be made to pursue any of the matters which you may have mentioned to me.

Mr. Richard Case Nagell
April 25, 1967
Page -2-

In this regard, at the very least, you have a right to have your mind put at rest, and to be told that a strict personal integrity has so dictated.

Inasmuch as Mr. Nicholas is the only person at the Medical Center with the background to understand the cause of this letter, I am taking the liberty of mailing it to him personally, lest it confuse, or become sidetracked, in, the inspection process.

I now ask Mr. Nicholas to please deliver this letter to you or to advise me if such delivery is not able to be made.


WILLIAM R. MARTIN

WRM/leb

April 13, 1967

Dear Mr. Martin,

Quoting I was advised by the Director of the Institution that I am being recommended for transfer to either the U.S. Correctional Institution, Lansing, Connecticut, the U.S. Penitentiary, Kentucky, or the U.S. Penitentiary at Jacksonville, Florida, presumably in that order. Such recommendation will be forwarded to the Federal Bureau of Prisons, but, as I mentioned during your visit, final approval will likely rest with the

Attorney General's Office.

It is my understanding, however, that I shall be sent back to Massachusetts, possibly within the next few to four weeks, to await final disposition of my case.

Upon my return to Massachusetts I think it would be useful to complete the legal arrangements for placement, without delay, that is, providing they can be completed satisfactorily. I am quite anxious to have either or not have. Therefore it will likely be in Chicago, and, if so, either she can be placed at the address I gave you. Being a very important physical matter, particularly at least, I would suggest a maximum effort to transfer to confirm the attachment, directly, of course, but the point is at any rate.

Sincerely,

Richard C. Nagle

PMB 4-16806-H

Springfield, Mass. 01102

P. O. Box No. 4000
SPRINGFIELD, MISSOURI

OFFICIAL BUSINESS

D. A's Office

*2700 Tulane Ave.
N.O. La. 70119*

TO *Mr. William R. Martin, Attorney at Law* Sta.

International Trade Mart Building

New Orleans, Louisiana

70113



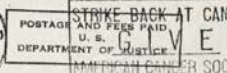
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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF PRISONS
MEDICAL CENTER
SPRINGFIELD, MISSOURI
OFFICIAL BUSINESS



Dist Attorney's office
2700 Tulane Ave.
70119

Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana

UNITED STATES DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
MEDICAL CENTER FOR FEDERAL PRISONERS
SPRINGFIELD, MISSOURI 65802

April 28, 1967

Mr. William R. Martin
Counselor at Law
International Trade Mart
New Orleans, Louisiana

Re: NAGELL, Richard C.
Reg. No. A-16606-H

Dear Mr. Martin:

I regret that I must return your letter pertaining to Mr. Nagell in that he has refused to accept it. It appears that his reaction is completely out of proportion since he has also requested his caseworker to remove all persons on his official correspondence list except magazines and newspapers.

Your dedication to this man is remarkable.

Sincerely,

R. S. Nicholas
R. S. Nicholas, Chief
Classification & Parole

RSN:vs

Encl.

To: Bill Martin

The letter which you composed to special subject is almost certain to be effective, if he can ever be brought to look at it. How about sending it to his sister with a similar cover letter to her. She may be able to tell him about it. I would rather try this approach & sweat it out for a while in the hope that we still may get the totality of his information. J2.

Form #330

SPECIAL PURPOSE MAIL REQUEST

MEDICAL CENTER FOR FEDERAL PRISONERS - - - - Date: May 19, 1967

I request permission to mail special purpose letter to the following person, and to receive mail from that person in return:

Addressee's Name: Mr. William B. Martin, Attorney at Law

Street Address: International Trade Mart Building

City and State: New Orleans, Louisiana

Zip Code: 70117

Purpose of Correspondence: Re: petition for writ.

APPROVED: SP

Joseph Z. Alderitz, MD

Richard C. Nagell A-16606-H
Inmate's Signature and Register No.

This form is to be completed by the inmate desiring to mail a special purpose letter and included with the letter by the inmate when it is submitted for approval. It is to be used for all special mailing requests, including letters to addresses not on approved correspondence lists.

May 19, 1967

Dear Mr. Martin,

I am in the process of preparing a petition for writ of habeas corpus, together with a rather lengthy supporting memorandum. When completed, they will be filed in the U. S. District Court, Western District of Missouri, at Kansas City, or, if I am advised to do otherwise, I will file in the U. S. District Court for the Eastern District of Kansas.

I will send a copy of the petition and memorandum to you personally or to District Court Judge Bernard J. Rappert, with whom, I believe, you are acquainted.

Necessarily, my petition will be complete; it will reference names of some persons you may wish to subpoena.

The reason for my so-called action stems from a belief that my understanding, which, as you probably know by now, was deeper than I've admitted to you or my sister, is going to be made public eventually, anyway. In the report, I hope only that the authorities furnish adequate response for my children.

I am informed. Why I shall be allowed to discuss this or not

June 12, 1967.

Richard C. Wright

A-16606-H

P. O. Box No. 4000
SPRINGFIELD, MISSOURI
OFFICIAL BUSINESS



To D.A.'s Office
2700 ~~So. Grand St.~~
To Mr. William B. Martin, Attorney at Law
International Trade Mart Building
New Orleans, Louisiana
70113

Hon. Robert F. Kennedy
United States Senate
Washington, D. C.

January 8, 1967

Dear Senator Kennedy:

Enclosed herewith is a carbon copy of a letter I wrote last week to Senator Richard B. Russell. It is furnished for your information only.

First, I want you to know that I held President Kennedy in the highest esteem. If I subscribed to a creator I would be prone to say President Kennedy was God's gift to this nation. Certainly, he demonstrated a sense of social consciousness never before displayed by any Chief Executive except, perhaps, President Lincoln.

Secondly, I want you to know that I was not involved in the conspiracy referenced in the enclosed letter. Indeed, I resorted to every measure then available, short of taking a man's life, to counteract it. This included placing my own life and possibly the lives of my children in jeopardy.

Whether the tragedy at Dallas was indirectly or directly resultant from a conspiracy, only time and an unbiased, thorough inquiry will tell. But in either event the matter is now academic. The deed was done; and it could have been prevented. The Federal Bureau of Investigation was appraised of enough data to warrant the arrest and detention of Mr. Oswald, at least until an investigation disclosed sufficient evidence to sanction an indictment. To my knowledge he was not even picked up for questioning.

Lastly, I want you to know there exists a far-reaching ramifications

concerning my own inquiry into Mr. Oswald's activities; a rumormongering, which, if exploited and twisted around by interested parties, might create additional doubt in the matter concerned and unnecessarily strain relations between the United States and another country. So I wish to emphasize that any conspiracy of which I had cognizance was neither Communist inspired nor instigated by any foreign government or representative thereof.

Sincerely,

Richard C. Hasell

May 24, 1967

Mr. William R. Martin, Attorney
International Trade Mart Building
New Orleans, Louisiana 70113

Dear Mr. Martin:

This is to advise that in my opinion I am being denied the lawful right, as a prisoner awaiting outcome of appeal, from adequately preparing a Memorandum In Support of my petition for habeas corpus, and that I do not feel I can submit a proper petition without attaching a lengthy supporting memorandum to it.

Whether or not the administrative policy responsible for this situation is itself in violation of the law, is, of course, a matter for the courts to decide. I can only point out that such policy has the effect of abrogating the right of representation and my right of privileged communication with the court. In the latter respect, I am sure you can understand there are certain aspects of my case which I prefer not to become general knowledge around this institution, at least not yet, but which must necessarily be raised to support my petition.

I would ask that you contact Mr. Nicholas, like you did before, and request authorization to visit me under the conditions arranged previously (I promise not to panic). Request that I be allowed to present my hand-written petition and supporting memorandum to you for your perusal and inspection, and that you be permitted to take them with you in order to have them typed up.

If Mr. Nicholas wishes to read them himself, that is alright with me as long as it is done in your presence. In fact, it might be a good idea to have them notorized.

I cannot emphasize enough how pertinent and vital this matter is to all concerned, because in these documents I shall have listed facts that can be substantiated by witnesses and official records, and, I shall be willing to testify under oath concerning

(2.)

anything cited or alleged therein.

If these arrangements cannot be made to your satisfaction, then I would suggest you ask the proper authorities to initiate court action in my behalf.

In either event, I shall appreciate an early advisement regarding your intentions, if any, to elaborate my prosecution.

Also, I might advise that I have terminated correspondence with my sister because I don't want her to be dragged into this mess inadvertently. I'm certain you will understand why I had to do so.

Richard C. Hysell

A-16606-H

P. O. Box No. 4000
SPRINGFIELD, MISSOURI
OFFICIAL BUSINESS



Dist Attorney ^{TO} *Mr. William F. Martin, Attorney at Law*
2708 Tulane Ave *International Trade Mart Building*
70119 *New Orleans, Louisiana*
70113

only for the eyes of William W. Turner

Perhaps the not-so-oblique reference contained in your letter of Aug 21 would provide the solution or at least disrupt any plans to salt me away permanently in some luthouse. One thing, however, is certain: Any effort in that respect would be with my blessing, one-hundred percent, though they would of necessity have to be directed a la izquierda since the sum of things as I knew them were right generally speaking as were the gusanos who were making the watch tick.

The reference of only for your eyes means to imply that I do not willy nilly wish to consolidate my efforts with those of Jim. I have a duty to Mr. Nagell that may not coincide with the plans of the other party.

Regards,

A.G.

By the "salting away" he refers to what he thinks will be the outcome of the appellate hearing this fall with his representation being court-appointed "Calamity Clem".

The upshot of this is really a lot of thinking and planning for you. I can assure you that Wagell trusts your organization to do the right thing above almost any on the face of the earth, judging by his statements and orientation. He wants prompt action to bring matters to a head. I estimate that if the engines of justice are fueled greased and oiled they will begin to run smoothly in this instance. As I see it an American astronaut was forced to crash land in a Texas field. Though he was not physically hurt nor did he hurt anyone, we still should have seen all available fireman, doctors and hospitals placed at his disposal. As the news spread, citizens ~~xxxxxxxxxxxx~~ newsmen and politicians should have engulfed him, all with a smile and eager to help. Instead, the incident was coraled by a bread of individual intent on covering there own professional incompetence. The landing was branded as trespassing. Parts of the spacecraft showing markings useful in a legal defence were carted away and no receipt rendered. After beating and a lengthy wait of many months a Kangaroo court was called. In the mean time a erievous national accident had occurred simply because engineers were not advised of the true significance of the first crash, or ignored explanations they did receive.

THE EVENING TIMES
P. O. BOX 1670
WILMINGTON, DELA. 19709

REPORTING ON EQUIPMENT TECHNOLOGY

William W. Turner

These items should be useful for cross-word puzzles

IDEAL THOUGHTS

Code name JACK comes to mind. So does name DESMOND FITZ.

Is DICK FETTERAU happy?

Is Pete Feinauer happy?

Is Tony Questa happy?

If DICK, PETE and TONY are not happy, why don't they come home?

□

CUBA LIBRE once popular drink at Monte Tecla, Chateau-Madrid, elsewhere,
is ordered in the proper manner.

□ +

Ozzie's wife checked out at San Antonio INS in April 1963.

□ +

Is Jure still living in San Juan? (OD10) (atux)

FBI team known as THE TACOS snooping about back alleys of Miami,
January 23, 1963 (Check Miami activity, this date)

□

Is JUNE ANDREWS running the show at Foggy Bottom nowadays?

Were messages sent to VAUGHN T. SNIPES in 1963 intended to be intercepted
by FBI?

THE EQUIPMENT TIMES
P. O. BOX 1670
WILMINGTON, DELA. 19899

William W. Turner

2.

demonstrated capacity for violence) during a period when another situation was becoming increasingly tense. Not that XYZ's superiors wanted Bravo's purported objective accomplished at any time, mind you; I'm only expounding the sensitivity of things, the priority of things as I saw them. Editor's note: My guess of meaning is that missile crisis was heating up and CIA did not want to have to cope with half-baked Cuban invasions or assassinations of any sort at the same time.

Anyway, my new assignment related to this, to assist in ascertain-
ing whether or not the rumor was true, and if it was, to further ascertain
the identities of those involved, the motive, method, etc., etc.
It was obvious that I wasn't the only guy saddled with this task, since
I had barely started (initiating an inquiry) when I was called to
the diplomatic hinterlands— an unprecedented move in my circumstances
— and told the rumor was indeed true, and briefed and furnished a
number of photographs and instructed to return to the U.S. This was
the cause of my hasty departure from D.F., the cause that I was not
able to tell you as we sat munching tacos in the Greasy Spoon on Oct
19. Editor's note: I do recall a trip subject made to embassy, reason
given at that time was quite different. Oct 19 was evidently his last
day before driving back to U.S.

I could, of course, fill in a lot of detail to give you a better
picture of the situation, but think you will understand why I have
neglected to do so. Anyway, it came to be determined, eventually, that
the subject was scheduled -- that is, originally -- for the latter
part of December at Miami. Apparently, it never proceeded beyond the
talking stage, though I wouldn't know because prior thereto, and at

REPORTING ON EQUIPMENT TECHNOLOGY

William W. Turner

3.

the time, I was forced to seek refuge in the spot where you sent my two of Nally's books, one of the titled "Dynamic Cardiovascular-something-or-other(which he probably lifted from Ben Franklin's library)". Editor's note : The books are only about a prank. The place of refuge must then be his sister apartment in New York.

Still in Russia

Return from Russia

The Ghoul (Oswald, editor) had not yet made the scene, and when he did step on stage the following summer, the motives, method, etc., in fact everything except the "team", in this instance also Bravo, had changed considerably. The second affair was scheduled for the latter part of September, probably the 26th, at D.C. and (Editor's note: words here crossed out could be ~~the-ghoul-to-be-ef~~) it is a story by itself, which I shall endeavor to explain later, together with the mess that I was in at the time. Editor's note: Later letters do shed some of the promised light. He was assigned to "get rid" of or "to arrow" or "get out of country hubba, hubba" all I believe on the same subject, but he some how believed he should balk. Possibly it is the same balking from writ page one, "I would rather be arrested than commit murder and treason." The editor wonders how often government assignments are given on pain of death or maiming. Cyanide tablets appear in another context as a pet item of MI FOI section. "The mess that I was in at the time" seems to be partially explained as "burning his butt and sitting on ice cake". Also, I've read saying "We have a strong right arm"... with parameter "Don't tell tales away from home." These support the editor's pain-of-death theory. I get the impression that pay is not high in this field, the chunky salaries being reserved for GS-18 men back in the comfortable offices.

WILLIAM W. TURNER
P.O. BOX 1000
WASHINGTON, D.C. 20001

Oct 8, 1967

WILLIAM W TURNER

Item: A Texas-based librarian reports on Oct 5

First trial, May 4, 1964, found guilty, trial appealed, retried.

Second trial, Sept 25, 1966, currently on appeal, with hearing to come up sometime next month

Item: Ex-wife and children of Ricardo not approved correspondents

or visitors. "Keeping one in doubt about welfare and whereabouts of children cruel but effective device (supposedly stimulates spirit to cooperate)... holdover from Stone Age... used successfully at LUBIYANKA and other places...occasionally fails to produce desired results."

Item: FOI is Field Operations Intelligence, espionage branch of Military Intelligence. One Emmett E. Dugan, Crafton, Pa. found floating in Tokyo Bay 2/12/58. "Wet affair... covered as suicide. Somebody knows better. Same somebody endowed with Big Ears and highly retentive memory. Name HEFFINGTON pops up. Name AOYAMA pops up. Rosh Hashanah at sunset Wednesday. Yom Kippur October 14. Acronym ZED (really) and names JACK V. CANON and KAJI WATARU all pop up simultaneously. Same somebody once promised: 'If you keep me caged too long, I'll take up singing lessons.' "

Item: CIC referred to as The Center and to initiates as The Bird

Ricardo graduated CIC enter after the B-25 crash at top of class. Was given diploma by Wilbur Brucker then Secy. of Army.

Item: Clay will be slurred as fruit. ^{Flare} Are others with greater or equal role who conceivably could be turned up without unusual effort. Role not considered sufficient justification for 10-20 yr. sentence

The Equipment Times

A. G. GREENSTEIN PUBLICATIONS

Reply to: P.O. Box 1670

Wilmington, Del. 19899

1812 Floral Drive • Wilmington, Del. 19803 • (302) 475-6397

September 15, 1967

Attn: Mr. Robert Scheer
Ramparts Magazine
301 Broadway
San Francisco, Cal. 94133

Gentlemen:

Enclosed is the first draft installment of "A Tour of the Fourth Reich". This type of article is far afield of my area of publication, but if used I should like (only) a credit line to A.G. Greenstein Publications, Wilmington, Del.

The balance of the draft which runs to some 40 pages is available and various supporting and explaining documents as well. Perhaps I should not chance to editorialize about the materials, but I'll say anyway that "you won't be disappointed".

If all goes according to the course I have indicated, then could I expect to figuratively hear the roar of the presses on their 300M run by November issue?

Very truly yours,

Arthur Greenstein
Arthur G. Greenstein

- 885-4464
- 922 6798
- 7863 4115
- 1) Kagee got himself arrested on bank robbery chg. 9/10/63
 - 2) had made an unauthorized trip to Cuba
 - 3) see p 3 - tried to get note to FBI then to Secret Serv DATES unclear
 - 4) see p 4 - person's belongings suppressed
re knowledge of conspiracy & suppression of evidence by FBI

The Equipment Times

Reply to: A. G. GREENSTEIN PUBLICATIONS
P.O. Box 1670
Wilmington, Del. 19899

1812 Floral Drive • Wilmington, Del. 19803 • (302) 475-6397

September 17, 1967

Mr. William W. Turner
RAMPARTS MAGAZINE
301 Broadway
San Francisco, Cal. 94133

Dear Mr. Turner:

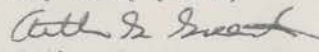
On September 15 I mailed some materials to the attention of your Mr. Robert Scheer, as managing editor. After reading the September dated issue of Ramparts over the week end, I clearly see that you appear to be a highly qualified person to utilize these materials. "The Press Versus Garrison" and the review of Ollestad's book make for a telling one-two punch in relation to what I submitted. I'd therefore suggest you see Mr. Scheer about the papers which are just five double spaced sheets given an arbitrary title by me of "A Tour of the Fourth Reich".

For my part I'm standing at the ready to send on photostats of the balance of the "Tour", the final page carrying a notary seal. This will not exhaust my records or factual materials. As stated in my letter of Sept. 15 to Mr Scheer I do require that a credit line be given in the article to A. G. Greenstein Publications, Wilmington, Del.

If Ramparts has doubts or questions, please at lease allow me to submit my further comments or explanations before dropping the issues that you will see raised in the "Tour".

I am not at the 475-6397[#] during normal business hours. If calls prove necessary they should be placed in the evenings or on the week end.

Very truly yours,


Arthur G. Greenstein

August 27, 1967

Dear Art:

I assume you saw by now approach of my letter dated August 22 to Stephen Potter. That you misinterpreted my comments in its first paragraph — that I have decided to resolve my dilemma in favor of the more approach of Mr. Potter in his letter to me of August 15 — I should tell you that the reason prompting my decision not to inform the appellate court of the above named in my communications here in no way predicted or agreement with his basis for those views. I agree only with their essence, that it should not be done, and I couldn't care less at this stage if raising the issue might "confuse" the matter now on appeal. I didn't elaborate on this to Mr. Potter because I thought he might take it as an insult to his professional standing, which it is not.

Although his views show a sound knowledge of the law and legal theory applicable to my predicament, that is, what would seem the best approach in accordance with the law as it is written and how it is supposed to function in practice, they also indicate a naivety as to how the law does in fact function in cases involving a national interest. I do not intend this opinion as an affront to your friend Potter. It is the exception rather than the rule to find an attorney who has not been blinded by academic conditioning or hoodwinked by most court decisions suited only to the occasion. Those who have not been misguided, it would seem, are no longer directing their efforts to the realm of criminal law. Our jails, prisons and mental institutions house a pool of people who are there simply because the law as it is promulgated either fails to function properly or was deemed inapplicable to them for cause never cited in the open record. Stupidity, innocence, insanity, or soundness of mind had little to do with their convictions and commitments, as did the evidence presented at their hearings. One must spend some time on the receiving end of our judicial system in order to appreciate and accept what I have just stated as fact. So, I shant dwell on the premise further. But please remember, Arthur, I have been situated on both sides of the fence.

Hence, you may perceive the main reason for my decision, despite what was meant to be the polite wording of my letter to Mr. Potter. It is going to take a lot more than registering a complaint with the appellate court to get my freedom or a new trial at which I can testify without fear of reprisal. It is going to require much more than the "substantial legal aid that the future might dictate," adequate funds on the "right" lawyer.

So, as the man once wrote: What is to be Done??? Well, frankly, I don't know. I know the validity of what I have already written and the fact that there is absolutely nothing I, myself, can accomplish from the confines of Leavenworth. I suspect that there are others who are quite cognizant of this fact too. I don't think I can count on any real assistance from my dear sister Eleanor, either. She is a staunch Republican and "conservative (voted for Barry Goldwater in 1964)," and seems afraid of taking any action which might taint her precious Good Citizen - Patriotic reputation. Since January 1964, when the Federal Tapp first interviewed her about me — placing her under oath and swearing her to secrecy — she has been shifting little green apples but the truth come out concerning "the former valiant soldier who became so completely altered, etc., etc."

Perhaps the not-so-oblique reference contained in your letter of August 22 would provide the solution or at least disrupt any plans to salt me away permanently in some nuthouse. One thing, however, is certain: Any effort in that respect would be with my blessings, one-hundred percent, though they would out of necessity have to be directed a la izquierda since the sum of things as I know them are right generally speaking, as were the gusanos who were making the water test. That the poor fool (rhymes with ghoul & a fool) - by holding the bag, as it were, to be, was supposed to perform his sworn solamente, though I am sure

* Sometime during March and April 1964 (exact date unknown), author caused a letter to be mailed, addressed to the American Love Affair Bureau, Dallas, Texas, which requested the assistance. The letter contained the information that author was engaged in a conspiracy to murder President Kennedy prior to the time of Dallas because he was in effect being held incommunicado. Author never received an answer to this letter.

also, at sometime during the same period (exact date can be ascertained), petitioner sent a letter through private channels to Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, then conducting an investigation of the activities of the Communist Party in the United States. Petitioner offered to testify before the committee on the above mentioned investigation in response to his letter.

STUDY OF THE EFFECTS OF THE 1960-1961 DROUGHT ON THE
FISH AND WILDLIFE OF THE GREAT LAKES

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[illegible]

The following information was obtained from the records of the Federal Bureau of Investigation, Bureau of Prisons, and the United States Department of Justice, regarding the activities of the Communist Party, U.S.A., in the United States, during the years 1941 through 1945.

On May 1, 1964, three days before the trial, petitioner was visited by both counsel who attempted to persuade him to submit to an indefinite commitment to the U.S. Medical Center for Federal Prisoners, in lieu of standing trial. Mr. Coleman advised that he had spoken to the district court judge about this and that the judge said he would agree to such a commitment providing petitioner did not object. Mr. Bellis stated that petitioner was going to be tried before a "blue-ribbon jury," and that he would be convicted, because, as Mr. Bellis put it, "they'll think anybody who walks into a bank with a gun intends to rob it," or words similar and to that effect. On explanation of the excessive tactics counsel employed to convince petitioner he should submit to such a commitment in lieu of standing trial would only be repetitive and superfluous. Petitioner informed counsel that he wanted to stand trial, that he had just been found medically competent to stand trial, and that counsel knew he was "being framed."

On May 3, 1964, the day before the trial, both counsel, accompanied by an El Paso psychiatrist (Dr. Manuel Hernandez) who had examined petitioner previously, again visited the jail. Mr. Coleman stated that he was going to hold a sanity hearing "tomorrow" and that he intended to show petitioner was not mentally competent to stand trial. Whereupon, petitioner became angry and said to Dr. Hernandez, "I thought you told me you thought I was competent to stand trial?" Dr. Hernandez replied, "You are," but that it was a matter of petitioner being put in either a hospital or prison, and that he thought a hospital would be better. Petitioner explained there was no difference between Springfield and a prison. He told Mr. Coleman, "You can lose your sanity hearing," but that he would testify that he was not insane. Both counsel and Dr. Hernandez then left the jail. Approximately one hour later all three returned. Whereupon, Mr. Coleman stated to petitioner that he would not try to show that petitioner was not competent to stand trial, that he would stand trial as scheduled, but that he (Mr. Coleman) needed petitioner's complete cooperation on the defense of insanity. Mr. Coleman stated that they had only been "testing" petitioner.

* Immediately prior to the selection of the jury a brief sanity hearing was held at which petitioner was adjudicated mentally competent to stand trial.

page 9

transpired. Mr. Graves told petitioner to take it easy, that "we are doing our best to get you into a state hospital so you won't have to stand trial," or words similar and to that effect. Whereupon, petitioner exclaimed he did not want to enter a state hospital, that he wanted to go to trial, that he had just been found mentally competent to stand trial, and that if anybody tried to have him committed to a state hospital he was going to fight it all the way.

Despite his repeated requests, petitioner received no medical examination or treatment whatsoever until two days later, even though he was in the jail's hospital ward and even though a nurse, Miss Lillie Byers, was on duty during the daytime. He was in fact held incommunicado during the period July 11, 1966 through July 15, 1966, in that he was not permitted to phone any attorney or contact his relatives. When the jail doctor, a Dr. Richardson, finally examined him (through the bars of his cell, and by shining a flashlight in his face), petitioner could barely see out of his left eye and the swelling on his forehead had increased considerably. Later, petitioner was given two aspers by a trustee.

On July 14, 1966, Mr. Jesse Dotte, the Chief United States Marshal for the Western District of Texas, visited petitioner, and, in the presence of Bexar County Deputy Sheriff E. E. Hummel and another person not herein identified, told petitioner to forget about what had happened "here," that "we're fixing it so you can go to a state hospital," or words similar and to that effect. Whereupon, petitioner gave him substantially the same answer he had given Mr. Graves three days before.

On July 16, 1966, petitioner was transported by automobile to the El Paso County Jail.

On July 21, 1966, counsel, Mr. Colson, visited petitioner. Petitioner demanded to know what had taken him "so long to get here," that he had asked to see him immediately upon his arrival at the jail, and that he had been "worked over" at San Antonio. Petitioner then advised counsel of what had occurred in the Bexar County jail. He insisted that counsel make arrangements for him to file criminal complaints against Mr. R. F. Cabellero, Mr. M. S. Trump and the Bexar County Jail Captain, Mr. Adrian S. Joseph. Also, he informed counsel of what Mr. Brown and Mr. Dotte had stated to him at San Antonio, and his response thereto. Counsel avoided answering petitioner's questions and seemed to pay little attention to his complaints and requests. He said the government intended to dismiss the charges against petitioner and file a motion that he be committed civilly by state authorities to a Texas state mental institution, and that there was nothing he could do about it. He advised that petitioner not oppose the commitment. Thereupon, petitioner became angry and told counsel he was still representing him without his authorization and against his will, that he had just been found mentally competent to stand trial, that there was already an undue delay in bringing him to trial, and that if there ever had existed any real doubt about his competency to stand trial, it should have been resolved long before he was sent to Springfield in April. Petitioner stated that counsel and the court and the prosecution "knew damn well" he had been found mentally competent to stand trial before he was sent to Springfield; that he had been determined mentally competent to stand trial before he had been released from Leavenworth, and that all concerned had been furnished a medical report to that effect. Petitioner emphasized to counsel that his conviction had been reversed with instructions that a new trial be granted over six months earlier, and that

he was being denied a speedy trial. He stated that "some hell or high water" he was going to stand trial even if he died "to retain in jail," and that "the truth is going to come out." He told counsel he intended to oppose any attempt by the State of Texas to stop into the case and commit him to a state hospital, and that his sister would hire an attorney specifically for that purpose. Whereupon, Mr. Calamia became angry and stated that the court's order of April 7, 1966, was still in effect and that he would not allow another attorney to oppose the commitment.

On July 22, 1966, petitioner was visited by counsel, Mr. Calamia, and two F.B.I. agents, Mr. Richard H. Ricken and Mr. Robert D. Abegglen. Later in the day, petitioner gave these agents a signed statement concerning the incidents at the Bexar County Jail and the names of the persons involved, including the names of some (but not all) witnesses. On advice of Mr. Ricken, no reference to Mr. Dotke or his comments to petitioner were made in the statement. Petitioner was ~~reassured~~ assured that if his claims proved true, the U.S. Attorney would take appropriate action, because there had been other complaints about the treatment of prisoners "in that jail." Mr. Ricken said that the matter would be investigated by the San Antonio Office of the F.B.I. Petitioner was never apprised of the results, if any, of the investigation, nor was he ever questioned further on the matter.

On July 24, 1966, Dr. Joseph P. Hornumaker, a psychiatrist employed part-time by El Paso County, visited petitioner and attempted to persuade him to sign a statement showing that he would voluntarily agree to a civil commitment to a Texas state hospital. Petitioner refused to talk to Dr. Hornumaker outside of the presence of witnesses, and he refused to sign the proposed statement. He was then taken to the Bexar County Jail on July 25, 1966.

under similar and to that effect.
 On July 25, 1966, petitioner wrote a note to Mr. Raymond O'Rourke,
 Captain of the Jail House, El Paso County Sheriff's Department, asking him about the
 matter, and mentioning that he did not wish to speak to Mr. Hiramson again
 if he should visit the jail.
 On July 28, 1966, petitioner received a letter from counsel, Mr. Calman
 (dated July 27, 1966), stating that the State Attorney at El Paso had advised
 him the charges pending against petitioner would be dismissed. Calman, counsel
 had advised petitioner he would be taken to the El Paso County Court after the
 charges were dismissed, and committed to a state hospital.
 On the same date, July 28, 1966, petitioner wrote a lengthy letter to the
 Honorable J. C. Johnson, presiding judge of the El Paso County Court, who had let
 commitment, telling him of his stand in the matter, that he wanted to
 appear any and commitment, and that he had just been found mentally competent
 to stand trial at the U.S. District Court for Federal District. Petitioner stated
 he wanted to be let out, but he was told by Captain O'Rourke that it had been
 decided to the judge and that the judge had not at.
 On August 1, 1966, counsel, Mr. Calman, wrote petitioner and informed him
 in Captain O'Rourke's office, in the presence of Captain O'Rourke. Counsel literally
 accused petitioner, repeatedly, and emphasized that if he stood trial again in El Paso
 he would be committed. He said there was absolutely no chance of him coming out
 again for petitioner because of the prejudice that existed against petitioner in
 that area. Counsel stated that instead of standing trial petitioner should allow
 himself to be committed to a state hospital. Counsel said he would, of the
 and commitment, arrange to have petitioner transferred to a hospital.

Administration hospital. Captain O'Bourke interrupted to mention that he thought petitioner was convicted at his first trial because of "the Kennedy assassination." Petitioner again refused to agree to submit to any such commitment. He said that since it appeared he was "stuffed to" counsel, he wanted a change of venue because of what counsel had stated about him being convicted on prejudice if he stood trial in El Paso. Whereupon, counsel said he did not think he could obtain a change of venue. Petitioner insisted that he try. Counsel flatly refused to make application for a change of venue. He threatened that if petitioner persisted in not following his advice, he would "send him back in Springfield." Counsel said, "How would you like that?" Petitioner then asked Captain O'Bourke to remember what counsel had stated throughout the interview, and walked out of the office.

The following day, August 2, 1966, counsel, Mr. Calamus, again visited petitioner and interviewed him in Captain O'Bourke's office in Captain O'Bourke's presence. Again, he warned repeatedly and emphasized that petitioner would be convicted if he stood trial in El Paso. He again, he flatly refused to seek a change of venue. He said that if petitioner did not follow his advice and submit to a commitment in a state hospital, the judge was going to send him back to Springfield for "not cooperating." Petitioner became angry and stated that counsel was threatening him. Counsel replied that he was not threatening, that he was "promising." And, again, petitioner asked Captain O'Bourke to remember what counsel had said throughout the interview. When counsel had departed the jail, Captain O'Bourke called petitioner and said that he was going to see him again at the hospital.

On August 4, 1966, counsel, Mr. Calver, again visited petitioner and again interviewed him in Captain O'Rourke's office. Whereupon, Captain O'Rourke, after several minutes, stated he did not want to become "involved in this thing," and left his office. In brief, the same advice and threats referenced in the preceding paragraphs filled the conversation. Again, counsel assured repeatedly and emphasized that petitioner would be convicted on prejudice if he stood trial in El Paso. Again, he flatly refused to ask the court for a change of venue upon petitioner's insistence he do so. Petitioner stated to Captain O'Rourke, in counsel's presence, as he was about to return to his tank, that he did not want to see or speak to counsel again if he should visit the jail.

On August 8, 1966, petitioner wrote to the United States Department of Justice complaining that his rights as a defendant in a criminal case were being violated, that he was being intimidated by his court-appointed counsel to submit to civil commitment in a mental institution in lieu of standing trial, that he had just been found mentally competent to stand trial after intensive psychiatric examination at the U.S. Medical Center for Federal Prisoners, that he was being denied a speedy trial, that he was being denied the right to retain effective legal representation, that he was being denied the right to seek a change of venue even though his court-appointed counsel had told him he would be convicted on prejudice if he went to trial in El Paso, and, lastly, that he felt he was being deprived of all these basic rights because the government wanted to keep him from testifying about his connection with a conspiracy to murder President Kennedy.

Any acknowledgment or answer to his letter is being withheld.

it was mailed.

On August 9, 1966, petitioner was told by a jailer that counsel, Mr. Balke, wanted to speak to him. Petitioner was taken to an interview room where both Mr. Balke and Mr. Calamia were waiting. ^{Petitioner} he informed Mr. Calamia that he had nothing to discuss with him and that he did not care to listen to anything he might have to say to petitioner. Whereupon, Mr. Balke asked petitioner to sit down, which he did reluctantly. Mr. Calamia did most of the talking. The substance of what he said was the same as what he stated on August 1, August 2, and August 4, 1966, although he was less rancorous and demanding. Petitioner remained adamant in wanting a trial and in requesting a change of venue.

TWENTY-FIFTH SPECIFIC ALLEGATION: That the Report of Psychiatric Staff Examination dated June 13, 1966 and the Report of Psychiatric Examination dated June 17, 1966, rendered on petitioner at the U. S. Medical Center for Federal Prisons, and copies thereof which were submitted to the sentencing court and furnished the United States Attorney at El Paso and court-appointed counsel, contained the following excerpts (transcribed verbatim):

- (1) "The findings support an adjudication of competence to stand trial."
- (2) "Although competency at the time of the alleged crime has not been requested (emphasis added), an opinion will also be offered in this report."
- (3) "With reference to the question of mental competency at the time of the alleged crime, the patient is judged to have been not mentally competent at the time of the alleged crime. This opinion was arrived at using the criteria for criminal responsibility that is used by the U. S. District Court of the Western District of Texas, El Paso Division."

(4) "The patient is judged to be competent to stand trial. He knows what he is accused of and can account for his movements and he knows that the court views the act as a crime no matter what his own view may be. He further knows in some realistic measure the kind of trouble he can get into if found guilty, and, finally, it is felt that he can cooperate with and accept counsel within reasonable limits (emphasis added). His examiner is aware of Nagell's history of failure to cooperate in the past. However, the type of cooperation that he has displayed during his present hospitalization at the U. S. Medical Center resolves any doubt I may have had on this score."

(5) "The electroencephalographic report indicated that it was within limits of normal variation."

(6) "Psychological testing failed to show any evidence of an active psychotic process or show any evidence of an impairment suggestive of a cortical brain damage."

(7) "I can point out that on the basis of my examination and my laboratory findings including on EEG and psychological testing that I did not find any evidence or finding suggestive of brain damage."

(8) "The final paragraph of the psychological report states that little or nothing would be gained for society or for Nagell by continued incarceration in a penal institution."

(9) "RECOMMENDATIONS: As indicated above, Nagell displays some manifestations of a personality pattern disturbance which, if he is to ~~be~~ be rehabilitated and achieve some degree of adjustment in life would seem to merit some type of treatment such as long-term psychotherapy."

TWENTY-FIFTH SPECIFIC ALLEGATION (CONTINUED): That the foregoing excerpts listed as (1), (4) and (9) should be considered when evaluating the attempts by the government and court-appointed counsel to have petitioner committed to a state mental institution in lieu of standing trial; that excerpts (2) and (3) should be considered specifically in the light of the sentencing judge's purported promise to petitioner, as alleged to petitioner on April 19, 1966, by Chief U.S. Marshal Jesse Botbs; that excerpts (5), (6) and (7) should be considered when weighing all allegations herein pertaining to the "brain damage" issue; that excerpt (8) should be considered in the light of petitioner's sentence to the maximum penalty of ten years, his incarceration in Leavenworth Penitentiary, and his continued denial of parole.

TWENTY-SIXTH SPECIFIC ALLEGATION: That on July 29, 1966, the government, in collusion with court-appointed counsel, and for wrongful purpose, made a motion before the sentencing court to dismiss the charges pending against petitioner and have him committed by Texas state authorities to a Texas state mental institution in lieu of standing trial; that such action by the government was initiated in the face of its cognizance of a then recent psychiatric report submitted on petitioner which supported a judicial determination of his competency to stand trial and ^{contained} ~~submitted~~ an expert medical opinion of six psychiatrists that he was mentally competent to stand trial; that such action by the government was ^{initiated} for the express purpose of having petitioner from testifying at his trial and for impugning testimony he might give in the future regarding the government's withholding of evidence crucial to his rightful defense and ~~participate~~ ^{initiated} a conspiracy to murder a former Chief Executive of the United States; that when the government's motion was denied on July 29, 1966, petitioner came to be intimidated and coerced by his court-appointed

counsel to submit to a civil commitment in a Texas state hospital in lieu of standing trial; that petitioner was told by counsel if he would agree to such a commitment the judge would not require that he stand trial; that such intimidation and coercion (adduced in preceding general allegations) was with wrongful purpose and was effected with the knowledge and encouragement of the government and others not herein identified; that such actions by counsel were unwarranted and demonstrated inadequacy, ineffectiveness and misconduct on the part of counsel, in that petitioner well explained his stand before him and had the lawful right to stand trial for the offense charged against him; that counsel's actions, abetted by the government, during the period July 27, 1966 through August 16, 1966, and prior thereto and afterwards, caused undue mental anguish and hardships on petitioner and his relatives; that by all the foregoing and the facts contained in other related allegations, and by additional evidence which will be produced at any hearing on this cause, the government in collusion with court-appointed counsel ^{unlawfully} ~~unlawfully~~ usurped petitioner's right of due process and deprived him of a speedy trial.

TWENTY-SEVENTH SPECIFIC ALLEGATION: That counsel, Mr. Calamia, by design and for his own purposes, or for purposes unknown to petitioner, denied petitioner his lawful right to seek a change of venue for his second trial on the merits; that had such change of venue been applied for and granted, petitioner would have stood trial in another district and hence, conceivably, might have been acquitted; that had such change of venue been applied for and denied, petitioner would, under the circumstances alleged by counsel and others, have been provided additional and substantial grounds on which to base an appeal from conviction.

On August 17, 1966, both counsel again visited petitioner. Mr. Coleman said that the judge was not going to write any orders for petitioner to change his mind, that the case was called for September 19, 1966, and that he would cease his efforts to have petitioner "accept commitment" in a state hospital. He stated he would see petitioner's case "through to the end" if he would cooperate in the defense of insanity. Petitioner understood this statement to mean counsel would again appear if he was convicted. Mr. Coleman said there was the possibility he could win or acquittal if he could show the jury that petitioner was presently insane. Petitioner replied that if counsel tried to do that he would not cooperate ^{at all,} that he would ^{personally} object to ^{any} introduction of such evidence. Whereupon, after much argument, counsel agreed not to pursue this proposed aspect of his defense. He stated that he would only prove that petitioner was insane at the time of the alleged offense. Petitioner insisted that counsel attempt to have the Springfield psychiatric reports admitted into evidence after counsel had advised that he did not think he could get them introduced, "because the government will object." Petitioner asked why the government would object to "its own evidence" being shown the jury. Counsel said he could not afford to permit petitioner to testify, that he was "too convincing and might destroy your defense," or words similar and to that effect. Petitioner answered that he surely intended to testify and that for once he was going to see that the truth came out. He said he was also going to testify about the "screwing around" he felt he had been getting for three years. Whereupon, counsel became incensed and ~~said~~ stated that if petitioner testified to "anything the judge doesn't like" that he (the judge) would stop the trial and send petitioner back to Springfield. Whereupon, petitioner became angry and told counsel that he was threatening him.

again, that counsel wanted to win his case ~~slightly~~, but that he wanted to win it on the prosecution's terms. Petitioner said, "I'm not going to go along with the program," that as far as he was concerned counsel had been "sleeping with the U. S. Attorney" ^{ever} since he entered petitioner's case. He said that "you people" stuffed the depace of insanity down "my throat" before his first trial and that "come hell or high water" he was going to tell the truth at his second trial. Counsel replied that petitioner was cutting off his nose to spite his face. He asked petitioner if he wanted to end up back in Leavenworth.

On August 21, 1964, petitioner wrote a letter to Judge Tuttle of the sentencing court, describing his situation in detail and complaining of counsel's conduct. The letter was mailed on August 24, 1964, and petitioner received an acknowledgment of receipt from the Court Clerk, but no answer to his letter.

Meanwhile, petitioner had written to his sister and requested that she visit him. On September 7, 1964, she and her husband visited him in the El Paso County Jail. Petitioner advised them that it looked like he was going "to be railroaded again". He gave his sister a hand-written dissertation, perhaps thirty pages in length, containing part of his "proposed testimony," and said that it was academic that he had not finished it because he knew "they're not going to let me testify". He explained his situation to her in detail.

The second trial on the merits began on September 19, 1966. Immediately prior thereto, a brief sanity hearing was held at which the court adjudicated petitioner mentally competent to stand trial. After the trial got underway, the government elected to try petitioner on one count only of the indictment, that of "entering the bank with intent to commit a felony." Petitioner alleges that during the presentation of the government's case, it was more clearly spelled out to the jury what this felony was supposed to be; that in the minds of the jurors it may very well have consisted of something other than intent to rob travelers' checks.

Petitioner also alleges that the jury was never informed that the discharging of a firearm on property subject to federal jurisdiction was not a felony, and that it should have been so informed. Petitioner further alleges that throughout the trial, the jury, having heard both counts of the indictment read, was led to believe that he was being tried for both "intent" and "attempt," and that it was not informed until the moment it was charged that he was in fact being tried only for "intent."

Through intimidation and coercion by court-appointed counsel and others not herein identified, petitioner did not testify. Nor did any F.B.I. agents testify, despite counsel's promise to petitioner that Mr. Thomas H. White, Jr., and Mr. Edward J. Murphy would be put on the stand, and that they would be questioned about certain of petitioner's ^{allegations}.

Again, the defense raised was insanity or mental incompetency, and it was raised against petitioner's will. Despite petitioner's insistence to counsel, and counsel's promise that he would do so, no attempt whatsoever was made to have the Springfield psychiatric reports admitted into evidence. Petitioner alleges that it was until the defense raised ^{he} that such reports ^{be} considered by the jury during ^{its} deliberation, ^{because the} ~~for the~~ criteria for ^{determining} ~~responsibility~~ ^{responsibility} was as used by the court itself was clearly adduced to in both reports. Petitioner also alleges that the well-circulated rumor that

^{he}
~~petitioner~~ ^{was} a communist was disputed and precisely answered in the psychiatric
 reports ~~of the court~~, and that testimony by defense witnesses did not touch upon this
 subject. Petitioner alleges, in view of the well-circulated rumors that he was a
 communist and other related and prejudicial issues carried by the news media throughout
 the years preceding his second trial on the merits, that the rumors and prejudicial
 issues were material to his case and should have been argued in open court and
 settled once and for all; for it is, petitioner alleges, naive to think that such
 rumors and issues did not hang ^{heavily} ~~looming~~ in the minds of the jurors. In this regard,
 petitioner alleges that while the issue of "communism" was ~~unsuccessfully~~ ^{unsuccessfully} suppressed by both
 the prosecution and the defense (against petitioner's will) from the trial record, it was
 not deleted from the minds of the jurors, and that, as will be seen, a ^{purported} ~~purported~~
 comment by a prosecution witness did in fact raise ^{a related} ~~the same~~ issue once again during the
 trial without objection or substantial contest by court-appointed counsel.

The jury was charged on September 22, 1966, and four days later it
 returned a verdict of guilty.

TWENTY-EIGHTH SPECIFIC ALLEGATION: That petitioner was not brought
 to trial until over eight months past the date that the appellate court instructed a
 new trial be granted; that at the time of petitioner's release from Leavenworth
 Penitentiary and return to El Paso in February 1966, it had already been determined by
 competent and qualified medical authority that petitioner was mentally competent to stand trial;
 that an official report citing this expert medical opinion was submitted to the court on or
 about February 17, 1966; that by the spread and the facts contained in the general
 and specific allegations germane to this issue, and by additional evidence which will
 be presented at any hearing on this ~~petition~~ petition, petitioner was denied a speedy
 trial.

TWENTY-NINTH SPECIFIC ALLEGATION: That certain members of the jury at the second trial on the merits, held accounts in the bank in which petitioner was alleged to have intended to commit a felony; that no substantial inquiry was conducted into this matter by the presiding judge when he questioned the jury panel and/or the selected members of the jury; that over petitioner's repeated protest to court-appointed counsel, counsel offered no objection whatsoever to having such persons sit on the jury, nor did he question the jury panel or the selected members of the jury at all on this matter, nor did he utilize any peremptory or other challenge to bar such persons from serving on the jury; that although almost every juror claimed they had heard about petitioner's case from various sources, and despite the fact petitioner's alleged political views were and had been well-circulated throughout El Paso and vicinity, neither the presiding judge nor court-appointed counsel conducted any inquiry of the jury panel or the selected members of the jury to ascertain whether such alleged political views would influence their ability to render a just verdict; that by the foregoing, in part or as a whole, and by other evidence and testimony which will be presented at any hearing on this petition, there existed discrimination in the selection of the jury at petitioner's second trial on the merits.

THIRTIETH SPECIFIC ALLEGATION: That through intimidation and coercion by court-appointed counsel and others not herein identified, petitioner was forced to accept, cooperate in, and abide by the defense of insanity or mental incompetency at his second trial on the merits; that such defense was contrary and repugnant to the truth and inconsistent with and opposed to the facts in his case; that by the foregoing, in part or as a whole, petitioner was deprived of a fair and impartial trial.

defense of insanity or mental incompetency; that petitioner himself explained to counsel and another person not herein identified, before the second trial on the merits, that the aforesaid documentation was spurious and misleading and what its contents actually represented; that petitioner told counsel and another person not herein identified, before the second trial on the merits, that under no circumstances or for any reason did he want the aforesaid documentation introduced into evidence; that by the foregoing, in part, petitioner's right to have false and misleading documentation from the eyes of the jury was usurped by court-appointed counsel.

THIRTY-FOURTH SPECIFIC ALLEGATION: That a prosecution witness, El Paso Police Officer James Bonden, perjured himself when testifying for the government at the second trial on the merits when he stated "I saw photographs of restricted military installations" in petitioner's belongings at the time of his arrest; that the prosecution and Mr. Bonden knew such testimony to be false; that such testimony was highly inflammatory and unduly prejudicial to petitioner; that counsel made no objection whatsoever to the introduction of such testimony; that counsel offered no substantial contest to dispute or refute such testimony on direct or cross-examination; that counsel did in fact emphasize this perjured testimony ^{to the jury} during his ~~final~~ ^{cross-examination} contest on cross-examination; that petitioner himself could have disputed such testimony had he been permitted to testify; that an F.B.I. agent present in the federal building could have refuted such testimony had he been called as a witness; that another person not herein identified who was present in the courtroom could have refuted such testimony; that another person available nearby who could have refuted such testimony and who was willing to take the stand in petitioner's behalf, was not called as a witness despite petitioner's insistence to counsel that he be so called; that by the foregoing, coupled with the rumors that petitioner was a communist, the prejudicial issue of "espionage"

was sneaked into the trial by the government without challenge or serious contest by the defense, and left hanging in an already contaminated atmosphere.

THIRTY-FIFTH SPECIFIC ALLEGATION: That court-appointed counsel, by propounding a calumnious and leading question on direct examination ^{of a witness,} raised an issue which neither added to nor detracted from his defense of insanity; that such question was not objected to by the government; that such question and issue raised was stressed in the trial record and was brought forth by counsel for the express purpose of impugning testimony and discrediting allegations petitioner might conceivably voice in the future; that petitioner wanted to object to such question and issue raised ^{as being} improper, and irrelevant; and untrue; that petitioner wanted to object to other questions and issues raised ^{both the defense and} by the government as being improperly propounded and immaterial; that before the trial, counsel had warned petitioner of the himself objected to any testimony, questions, or issues raised by either side, the judge would stop the trial and "recommit you to Springfield"; that out of fear of this happening, petitioner voiced no objections whatsoever throughout the trial; that during the trial and recesses, court-appointed counsel refused to confer with petitioner or heed his protests about the conduct of the trial; that by the foregoing, in part or as a whole, petitioner was denied the lawful right to seek redress from the court and challenge or protest any and all evidence presented at his trial, and was thus deprived of a fair trial.

The day following his conviction, September 27, 1944, petitioner was taken to the court for sentencing. Both counsel were present. The judge, the Honorable Bowen W. Suttle, indicated that a pre-sentencing inquiry was unnecessary, and he had read the probation report submitted on petitioner.

first conviction in 1964, and that it would suffice. Counsel offered nothing in mitigation or extenuation. Mr. Calamia advised petitioner not to say anything when the judge granted him his ^{privilege} ~~privilege~~ of eloquence. He said if petitioner remained silent and indicated no complaints or voiced no objections, the judge would probably put him on probation. In view of such advice, and only because of such advice, petitioner replied in the negative when the judge asked him if he had anything to say before sentencing. Whereupon, petitioner was sentenced to the maximum penalty of ten years without probation or any part thereof ^{suspended} ~~suspended~~.

Notice of intention to appeal was furnished the court by counsel. During an interview at the jail, counsel, Mr. Calamia, ~~counsel~~ stated that he knew he was going to have to "win" this case "on appeal". Petitioner replied, "Where have I heard that before?" Counsel said he would try to have petitioner's conviction reversed without ^{him} ~~not~~ being remanded for a third trial. He added, "But you will probably have to go to a mental institution" because, as he indicated, there would be a federal law passed by the time petitioner's conviction was reversed that would make his commitment mandatory in view of the danger of insanity.

Shortly thereafter, petitioner wrote a letter to the United States Attorney General, electing not to begin serving his sentence pending outcome of appeal from his second conviction. He asked Captain O'Donohue to send this letter by registered mail. Counsel, Mr. Calamia, later told petitioner that he could no longer elect ~~not~~ to begin serving his sentence pending appeal, that the law had changed. When petitioner requested that counsel initiate legal action to keep him in El Paso pending appeal, that he feared his return to Leavenworth and that he was tired of being shuffled from place to place, counsel answered, "It wouldn't be worth your while

Shortly thereafter, petitioner asked counsel, Mrs. Coleman, to submit a motion requesting that an appeal bond be set, informing her that friends were willing to post such a bond up to the amount of \$50,000.00. Counsel vehemently objected.

Petitioner insisted. Whereupon, counsel stated that the government would oppose the setting of any bond in petitioner's case on the grounds that he "planned to skip the country." Petitioner then insisted that counsel ~~request~~ request a hearing on the matter, and that he be permitted to testify and produce evidence that he had no such intentions and had made no such plans, that the government's assumption was incorrect. Counsel agreed that he would do so, and that he would appeal if petitioner was denied bond.

On October 29, 1966, petitioner was transported by automobile to the U.S. Penitentiary at Leavenworth, Kansas. During the first day of the trip, Deputy U.S. Marshal Jim Johnson informed petitioner that the motion for setting of bond had been denied, and that there had been a hearing on the matter in ^{San Antonio} ~~San Antonio~~. Petitioner alleges he was unlawfully barred from attending, testifying and presenting evidence in his behalf at the aforesaid hearing. (In January 1967, petitioner received a letter from counsel which advised that the appellate court would not consider his appeal or denial of bond until it had reviewed the trial record, and that there would be a ~~day~~ since he had been granted an extension of time in which to file the appeal from conviction. Petitioner alleges he has received no further information or advisement regarding either appeal).

On October 31, 1966, petitioner entered Leavenworth Penitentiary. On December 9, 1966, during an interview by his Caseworker or Parole Officer, Mr. Robert ~~W.~~ Wilkins, he was asked numerous questions about the offense alleged, the trial, and the appeal. Mr. Wilkins also

these areas, notwithstanding prior and current records in his possession which would supply him with any data he needed concerning petitioner's case history.

Petitioner was asked many other questions unrelated to his care and custody, such as, "Where did you know Lee Harvey Oswald?" and "Why is the Secret Service interested in you?" Petitioner refused to answer questions of this nature. Finally, Mr. Volkmer told petitioner "We are sending you to Springfield for treatment."

The same day petitioner complained to the Associate Warden for Custody, Mr. Charles E. Harris, that he was being asked questions by his Parole Officer that he did not feel he was required to answer, that he had told Mr. Volkmer he would answer no more questions, and that Mr. Volkmer had told him he was going to be sent to Springfield "for treatment." Petitioner said that if he were to be returned to Springfield, he might as well be put over in "Building 63." Whereupon, petitioner was placed on "locked-status" in C-Cellhouse. Two signs, reading "Off Limits" were situated on each side of his cell. For the rest of the time he spent in Leavenworth, no inmates were permitted to converse with him, nor was he allowed to talk to other inmates. He was subjected to numerous "shakedowns" and other unwarranted petty harassments, and accompanied by a guard whenever he went to the messhall.

On December ¹³~~12~~, 1966, petitioner wrote a letter to Mr. John Rhee of the Civil Rights Division, U. S. Department of Justice, mentioning that he was a person on appeal, and complaining of his questioning by Mr. Volkmer and his contemplated transfer to the U. S. Medical Center for Federal Prisoners ^{and} his subsequent transfer to "mental treatment" there in 1964.

Therefore, she received an answer to her letter from the Bureau of Prisons, which advised that since she was not on appeal, "you will not be subject to punishment because you did not wish to discuss it in those circumstances." She letter also stated that the matter of her transfer to the Michael Center for Federal Prisons at Springfield was "not one which we open to appeal."

On December 21, 1946, Mr. Hovine, ADAC, asked questions of the would like to be taken off "Isabel-Stine" and go to work in the kitchen the following Monday. Pittman replied that he would. Meanwhile, Mr. Hovine stated questions would be taken off "Isabel-Stine" "this evening." But Pittman remained on "Isabel-Stine" until February 2, 1947, without any explanation, or even leaving from Mr. Hovine's office. On that date he was transferred to the U.S. Michael Center for Federal Prisons for the Third time in three years. She says before she departed Jamestown, Mr. Veltman told Pittman that actually he was being sent to Springfield in preparation for release on parole, that if Pittman would cooperate in answering questions he would probably be "cut loose in a couple of months."

Several days after entering the U.S. Michael Center for Federal Prisons, which Pittman alleges is in every sense of the phrase a maximum security penal institution (regardless of what else it may represent), he was moved to a maximum security ward, where he is presently housed. During any and all periods of confinement at this institution, Pittman has never been given medication ~~or~~ or undergone any semblance of "treatment," nor has he seen them in need of either.

On February 7, 1947, The Chief of the Mississippi-Illinois Service, Mr.

Joseph F. Alderite, who is assigned as petitioner's doctor, told him it was "not clear" why he had been returned to Springfield. Petitioner advised he had not been interviewed by the prison psychiatrist at Leavenworth, Dr. H. Wayne Hlotfelty, prior to his transfer, notwithstanding that he had asked an MTA, Mr. Wisdler, on two occasions in February 1967 to tell Dr. Hlotfelty that he wanted to speak with him about his pending transfer to Springfield. Mr. Wisdler had informed petitioner he had relayed his message to Dr. Hlotfelty.

On February 9, 1967, or during the succeeding week, petitioner was told by the Director of the U.S. Medical Center for Federal Prisons, Dr. Pasquale J. Accione, in reply to his query as to why he had been sent back to Springfield, that "We don't rightly know."

Petitioner alleges that a recent psychiatric report submitted on him by the Chief Psychiatrist at Springfield, opines that psychiatric treatment "is not essential" to petitioner's "rehabilitation" or adjustment in life.

On April 19, 1967, petitioner received written notification, dated five days earlier, that his application for parole had been "continued for an Institutional Review hearing in January 1969." In 1965, while at Leavenworth, he had received the same type of notification that his parole eligibility date had been continued for consideration in October 1966. Petitioner cites that both his prior and current sentences were imposed pursuant to Section 4207 (a) (2), Title 18, United States Code, Annotated. He alleges that consideration for parole, or a lock-throop, or the refusal to grant him parole in the face of expert medical opinion that he should be granted parole, is and has been a denial of his right to parole, and a denial of his right to due process of law.

defense against the crime charged, outside of a court of law and without the presence of ~~effective~~ legal counsel. Petitioner further alleges that previously at the U.S. Medical Center for Federal Prisoners he was questioned about the circumstances under which he met and knew Mr. Lee H. Oswald, the accused assassin of President Kennedy, about his alleged affiliation with an unpopular political party, about his political beliefs, and about his employment and activities during the period 1962-1963. Petitioner alleges he was coerced into answering such questions in that he was told by the examining physician that such questions had to be asked and answered in order "for us to make a proper evaluation of your mental condition and /or your competency to stand trial," or words similar and to that effect. On his present sojourn at Springfield petitioner has advised the officials concerned that he has no intention of answering any questions which do not fall strictly within the purview of his case and custody.

On May 19, 1967, petitioner was told by the Chief of the Neuropsychiatric Service that he will be returned to Leavenworth Penitentiary on or about June 12, 1967.

THIRTY-SIXTH SPECIFIC ALLEGATION: That by all the foregoing general and specific allegations, in part or as a whole, petitioner has been deprived of due process of the law.

WHEREFORE, ~~petitioner moves and prays~~ that this Honorable Court will consider all allegations contained herein as material and supporting to his Petition For Writ Of Habeas Corpus.

SO PETITIONER EVER WILL PRAY.

Richard C. Nagell

Signature of Petitioner

} SS

RICHARD CASE NAGELL, being first duly sworn under oath, presents that he has subscribed to the foregoing Memorandum In Support Of Petition For Writ Of Habeas Corpus and does state that the information therein is true and correct to the best of his knowledge and belief.

Richard C. Nagell

Signature of Affiant

SUBSCRIBED and SWORN to
before me this 6th day
of June, 1967.

(Month)

(Year)

William R. Martin

Notary Public
WILLIAM R. MARTIN
Notary Public, Parish of Orleans, State of La.
My Commission is issued for life.

My commission expires

(Month) (Day) (Year)

REPORTING ON EQUIPMENT TECHNOLOGY

William W. Turner ---Subject's Letter of Sept 17, 1967

.....

The business I had with the three people referred in the addendum aforesaid, was the principal reason for my trip to D.F. (Mexico City, editor). However, other than to mention that one of them was officially an employee of La Agencia (CIA, editor) (and as I found out later, unofficially an employee of XYZ). (there is nothing in correspondence to show name actually used for this ad hoc group, editor), there is no need to go into this, since that business came to an abrupt end along about the time I changed residence. (The change of residence I believe was a move in the fall of 1962 from Hotel Luma to Hotel Texana editor). It is the ensuing assignment, after my return to Wally's bordello--I understand he had a key to every room--that is particularly germane. (Wally is Worth Walrod, Jr. of St. Louis. Was impersonating a heart specialist, but possibly only to make out better with the gals)

It seems that during the first week of October XYZ had gotten word or picked up a rumor to the effect that the subject so often adduced to in my memo (writ, editor) was being discussed in earnest by members of a certain group which had branch offices or affiliates, located in D.F. and the United States, besides other places. Its headquarters or main base might have been situated in D.F. also, though I'm not sure. This group, hereafter referred to as "Bravo",

CIA
in lieu of its proper designation, was according to XYZ, receiving financial support from La Agencia.....for what effort or purpose I have absolutely no idea. I did know, however, that D.F.-Bravo was engaged in little more than such random ventures as tossing homemade bombs (one of which failed to explode) at or near the facilities occupied by its foe. And it was this fact, I suppose, that caused a certain amount of anxiety amongst XYZ's superiors, lest the "earnest discussions" give form to something more tangible than talk (a potential well-conceived in view of Bravo's

THE EQUIPMENT TIMES
P. O. BOX 1670
WILMINGTON, DELA. 19699

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA

Mr. Richard Case Nagell
A-16606-H
Federal Medical Center
Springfield, Missouri

1 June 1967

Dear Mr. Nagell:

I have only just now returned to my office after several days absence and have read your two letters of the 19th. and the 24th. of May, respectively.

Shortly after lunch today I had a conversation with Mr. Nicholas of the Medical Center by telephone. I told him of your last letter in which you indicated that you would like to be allowed privileged communication with me for the purpose of discussing your appeal, the preparation of your petition and the accompanying supporting memorandum, and in general, to complete the business we had anticipated at our last meeting.

Mr. Nicholas was totally cooperative and saw no reason why this could not be done. After discussing the time element, I elected Tuesday, 6 June 1967, as the date most convenient for my travel to Springfield.

I expect to arrive in Springfield at approximately noon of that date and shall go immediately to see you.

Most sincerely yours,

William R. Martin

WRM/lma

WILLIAM R. MARTIN
COUNSELOR AT LAW
INTERNATIONAL TRADE MART
NEW ORLEANS, LOUISIANA



AIR MAIL

Mr. Richard Case Nagell
A-16606-H
Federal Medical Center
Springfield, Missouri

AIR MAIL

"Witness:

"/s/ Edward Joseph Murphy, Special Agent FBI, El Paso, Texas,
11/19/63

"/s/ George E. Aiken, Jr Special Agent, F.B.I, El Paso, Texas
11/19/63"